The House met at 10 a.m. The Rabbi Peter J. Rubinstein, Central Synagogue, New York, New York, offered the following prayer:

Dear friends, we gather during this festival of Hanukkah when Jews celebrate the blessing of light and rededication and renewal. Long ago, those enemies who would have destroyed us profaned our sacred alters. They wished to rid the world of the fundamental teachings of our faith: that peace is founded upon justice, that all human beings are God’s creation deserving of ultimate decency and goodness, and that the loveliness of light will always, in the end, obliterate the suffocating specter of darkness.

So, again, as we battle for the vision of light and peace, we ask You, O God, to bless us today in our gathering. Send healing to the sick, comfort to all who are in pain, and tender love to the sorrowing hearts among us. Deepen our love for our country and our desire to serve it. Let Your blessing rest upon us so that our Nation may forever be to the world an example of justice and compassion. As well, may all that we do be a blessing and in Your service, O God and let us say, Amen.

The SPEAKER. The Journal stands approved.

Mr. FORBES. Mr. Speaker, pursuant to clause 1, rule I, I demand a vote on agreeing to the Speaker’s approval of the Journal.

The SPEAKER. The question is on the Journal. The question was taken; and the Speaker announced that the ayes appeared to have it.

Mr. FORBES. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER. Pursuant to clause 8, rule XX, further proceedings on this question will be postponed. The point of no quorum is considered withdrawn.

The SPEAKER. Will the gentleman from New York (Mr. McNulty) come forward and lead the House in the Pledge of Allegiance.

Mrs. MALONEY of New York. Mr. Speaker, I am proud to welcome to this Chamber Rabbi Peter J. Rubinstein, senior Rabbi at Manhattan’s Central Synagogue.

Built in 1872, Central Synagogue is a national and city landmark that was nearly destroyed by fire in 1998. But thanks to Rabbi Rubinstein and others, the Central Synagogue rose from the ashes not only restored, but improved.

New York would do well to follow its example.

On September 9, along with thousands of New Yorkers, I was pleased to attend a glorious celebration when the synagogue reopened. But the joy was shortlived. Just days later, Central Synagogue was hosting memorial services for World Trade Center victims. In retrospect, the renovations were completed just in time.

The Central Synagogue and Rabbi Rubinstein have been there for New Yorkers in times of joy and sorrow alike, and the synagogue was ready for the most sorrowful day in our city’s history.

It gives me great pleasure that a man who has meant so much to so many was able to lead us in prayer today.

WELCOME TO RABBI RUBINSTEIN

(Mrs. MALONEY of New York asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Mrs. MALONEY of New York. Mr. Speaker, I am proud to welcome to this Chamber Rabbi Peter J. Rubinstein, senior Rabbi at Manhattan’s Central Synagogue.

Pledge of Allegiance

The SPEAKER. Will the gentleman from New York (Mr. McNulty) come forward and lead the House in the Pledge of Allegiance.

Mr. McNULTY led the Pledge of Allegiance as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one Nation under God, indivisible, with liberty and justice for all.

NOTICE

Effective January 1, 2002, the subscription price of the Congressional Record will be $422 per year or $211 for six months. Individual issues may be purchased for $5.00 per copy. The cost for the microfiche edition will remain $141 per year with single copies remaining $1.50 per issue. This price increase is necessary based upon the cost of printing and distribution.

Michael F. DiMario, Public Printer
The question of the Chair follows:

Mr. FORBES. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The Speaker. Evidently a quorum is not present.

The Sergeant at Arms will notify absent Members.

The vote was taken by electronic device, and there were—yeas 355, nays 44, answered “present” 1, not voting 33, as follows:

[Roll No. 486]

YEAS—355


Mannino    Markey    Mascara    Matos    McCarthy (MO)    McCarthy (NY)    McGovern    McHugh    McNillis    McKeon    McMorris

Meehan    Meek    Mengin    Menendez    Mica    Miller, Elder    Miller, Donald    Miller, Dan    Miller, Gary    Miller, Jeff    Mink    Moran (VA)    Morse    Morella    Murtha    Myrick    Nadler    Napolitano    Neal    Nethercutt    Ney    Northup    Noem    Noel 2    Norman    Nussle    Older    Ortiz    Osburne    Otter    Owens    Oxley    Palone    Pascrell    Pastor    Paul    Payne    Pelosi    Pence    Peterson (PA)


Young (FL)

NAYS—44

Allen    Baird    Benjamin    Berkley    Bernier    Birleen    Bills    Birnbaum    Blunt    Boebert    Boehner    Bono    Boozman    Boucher    Boozman    Boyd    Brady (PA)    Brown (OH)    Capp 3    Castello    Crane    Delaney    English    Etheridge    Eitter 1    Filner    Gutierrez    Gutierrez

Gonzalez    Green (TX)    Green (WI)    Green (WI)    Greenwood    Greenholtz    Gregory    Granger    Granger    Granger    Graham    Graveline    Graham    Graham    Graham    Graveline 2    Graveline 2    Greene 3    Grimmett    Glick 2    Glick 2    Gollihar    Golling 2    Gollihar

Hagedorn    Hall (TX)    Hall (TX)    Hacker    Hagedorn    Hagee    Haight    Hagedorn    Hagel    Hagedorn

I might add, Mr. Speaker, that you have made it possible for me to know I have got the best job in this town, and I am going to do it with all my energy for another year.

The people of Texas have made it possible for me to work with the finest people in the world, the Members of this Congress, the Members of the United States House of Representatives on both sides of the aisle. To my friends on the other side of the aisle, we have many good contests. We are sometimes together, but we are more often in opposition, and we always represent what we believe. Thank you, my friends. You are constant, consistent and reliable.

You know, despite the often too-bitter contests we have, I cherish the fact that when our country needed us to come together, we stood on the steps of this Capitol and hand to hand we sang “God Bless America.” It was that feeling of unity, not the heated exchanges, that I will remember most fondly when I leave here.

To my Republican colleagues, we should be proud of what we have done in our young majority. Twice now we have lowered the tax burden on America’s working families and left them more in charge of their own hard-earned money. We reformed a failing welfare system in a way that has saved families. We honored the American people’s prosperity by our spending restraint, and we turned government deficits into hard-won surpluses, and we must now hold them. We will hold those surpluses by restoring economic growth through supply-side tax cuts, and that is why we cannot leave here without an economic stimulus package.

My colleagues, my friends, my appreciation for you has only been made greater because in the past few years I have had the privilege of visiting nearly every congressional district in America. I am looking forward to returning in whole or in part next year. But for now, my friends, let us finish our work and go home.

Let me conclude by saying, I wish you all, all of you and all your hard-working staffs, and all the wonderful people that make this great organization work, and the security and the police, let me wish you all a happy holiday season. Whether it is the celebration of Chanukah or, for me, Christmas, the birthday of my Lord and Savior, Jesus Christ. I just hope this is a happy and joyous occasion. It will be for me and my family, it will be for America, and it should be in all our lives.

Thank you, God bless you, and God bless America.

MESSAGE FROM THE SENATE
A message from the Senate by Mr. Monahan, one of its clerks, announced that the Senate has passed with an amendment in which the concurrence of the House is requested, a bill of the House of the following titles:

H.R. 2199. An act to amend the National Capital Revitalization and Self-Government Improvement Act of 1997 to permit any federal law enforcement agency to enter into a cooperative agreement with the Metropolitan Police Department of the District of Columbia to assist the Department in carrying out crime prevention and law enforcement activities in the District of Columbia if deemed appropriate by the Chief of the Department and the United States Attorney for the District of Columbia, and for other purposes.

The message also announced that the Senate has passed with amendments in which the concurrence of the House is requested a bill of the House of the following title:

H.R. 2386. An act to make permanent the authority to redact financial disclosure statements of judicial employees and judicial officers.

The message also announced that the Senate has passed a bill and a concurrent resolution of the following titles in which the concurrence of the House is requested:

S. 1519. an act to amend the Consolidated Farm and Rural Development Act to provide farm credit assistance for activated reservists.


The message also announced that the Senate agreed to the amendment of the House to the bill (S. 494)’ “An Act to provide for a transition to democracy and to promote economic recovery in Zimbabwe.”

HOW THE GRINCH STOLE THE CONSTITUTION

(Mr. PITTS asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. PITTS. Mr. Speaker, a fourth grader in Pennsylvania has been told that he cannot hand out Christmas cards to his classmates if they contain religious messages.

Two middle school students in Minnesota have gotten in trouble for wearing red and green scarves during a Christmas skit and for ending the skit by saying “We hope you all have a merry Christmas.”

Two ninth graders in Massachusetts have been told they cannot create Christmas cards that say Merry Christmas or depict a nativity scene.

A teacher in Illinois has been warned by her principal not to read a book about Christmas to her second grade class, even though it is from the school library.

A school district in Georgia has deleted the word Christmas from its school calendar to avoid a lawsuit from the ACLU.

Mr. Speaker, the Constitution has been hijacked. The founders never intended the first amendment to prevent schoolchildren from wishing each other a merry Christmas.

Left-wing lawyers are distorting the Constitution beyond all recognition.
Pretty soon they will be able to make it say anything they want it to say, and then we will all be in trouble. The Grinch may have already stolen Christmas. Let us keep him from stealing the Constitution too.

COMMITTEE FOR STIMULUS PACKAGE NEEDS TO MEET

(Mr. RANGEL asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. RANGEL. Mr. Speaker, the President and many national leaders are asking us to stimulate the economy by putting together a package and presenting it to the President for his signature. Some may remember it was this House that passed the so-called stimulus package, but what was in it? Hundreds of billions of dollars of corporate tax cuts, and little if no notice was given to the hundreds of thousands of people that are unemployed. That is the Republican stimulus package. Yet Members are ridiculing the Senate for not moving. What they fail to realize is that the leadership of the committee is not on the Senate side. The chairman of the committee comes from the House side from the chairman of the Committee on Ways and Means.

Mr. Speaker, it would seem to me that if we were serious about doing something, the committee would have a meeting. What most Americans and Members do not know, we have not met since last Wednesday. If there is an urgency, let us not blame the Senate. Let us find out where the blame is, and if there is an urgency, the committee would have a meeting.

STIMULUS PACKAGE NEEDED TO HELP UNEMPLOYED, NOT JUST THE WEALTHY

(Mr. HINOJOSA asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. HINOJOSA. Mr. Speaker, yesterday the Federal Reserve cut short-term interest rates for the eleventh time in as many months. However, the U.S. economy continues to grow weaker. Last month the Nation’s unemployment rate hit a 6-year high of 5.7 percent. Industry production appears to be at its weakest level in 20 years. Factories are operating at the lowest levels of capacity since 1983.

These statistics translate into Americans losing jobs, and with them the means to obtain health care, food and shelter. The Latino community for example is the fastest growing segment of the workforce, but is one of the most vulnerable, as many Latino workers are concentrated in low-wage industries with unsteady work.

Mr. Speaker, it is good, commonsense public policy to stimulate the economy by putting money in the hands of people who need it most and who will spend it immediately. This action increases the demand for goods and services, which is the only way to get our Nation’s business, all of the businesses, investing, producing, and hiring again.

Congress must pass a stimulus package that helps the unemployed, not only the wealthy.

ECONOMIC STIMULUS BILL NEEDED

(Mr. GIBBONS asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. GIBBONS. Mr. Speaker, more than a month ago this House passed a much-needed economic stimulus package; but, unfortunately, America waits. American families have been waiting for the Democratic leadership in the other body to act; waiting for the relief to spur on economic investment; waiting for additional Federal assistance so
Mr. Speaker, like all Americans, Nevadans have waited too long for the Democratic leadership to start putting the welfare of this Nation and its economic prosperity ahead of their political priorities. It is time for an economic stimulus package to be passed by both Chambers of Congress and sent to the President and signed into law. America’s economy, stability, and the individual prosperity of every American depends on it. Let us do it now.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. PETRI). The Chair would remind Members that remarks in debate may not include characterizations of Senate action or inaction.

CHRISTMAS IS ABOUT BIRTH OF CHRIST

(Mr. TRAFICANT asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. TRAFICANT. Mr. Speaker, the school prayer issue is out of control. Literally. Students in Pennsylvania were prohibited from handing out Christmas cards. Reports say students in Minnesota were disciplined for having said merry Christmas. Now if that is not enough to find coal in your athletic supporter, check this out: A school board in Georgia removed the word “Christmas” from their school calendar because the ACLU threatened to sue. Beam me up. If this is religious freedom, I am a fashion model for GQ.

Mr. Speaker, I yield back the fact that Christmas is not about a jolly old fat man. Christmas is about the birth of Christ.

A JOB WELL DONE

(Mr. BARTON of Texas asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. BARTON. Mr. Speaker, in 1984 the gentleman from Texas (Mr. ARMEY) and myself were elected to Congress from adjoining districts. He started out sleeping in his congressional office, and I started out picking etching-majority leader Jim Wright, which the gentleman from Texas helped me do. He went on to become conference chairman of the Republican Conference and when the Republicans became the majority, majority leader.

The gentleman from Texas (Mr. ARMEY) is a man of big ideas. It was his bill that began to streamline our military base positions in this country. He is also a supporter of school vouchers and flat taxes. He came from can-do North Dakota, and he brags about that even though he now lives in Texas.

Mr. Speaker, the gentleman from Texas (Mr. ARMEY) did come, he did do. I say well done to the gentleman from Texas (Mr. ARMEY).

REJECT RECOMMENDATIONS OF SOCIAL SECURITY COMMISSION

(Mr. UDALL of New Mexico asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. UDALL. Mr. Speaker, there are two good reasons why we should reject the recent recommendations of the Social Security commission, this commission that has said that we should move in the direction of privatizing Social Security.

The first is the commission was stacked with individuals who had a preconceived notion of the outcome. Second, the commission recommends private accounts but does not take into consideration the cost. Many observers believe converting Social Security to private accounts would cost $1 trillion. Where is that money to come from? Out of Social Security, of course.

And finally, the obligations invested in the market are risky investments. We only need to look at our recent downturn to see how risky these investments are. Are we going to throw people out on the streets in their golden years because we lost their retirement in the market? I certainly hope not.

COMFORT THE KIDS

(Mr. FLAKE asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. FLAKE. Mr. Speaker, I rise today to commend the efforts of two Arizona families, the Porter family and the Rogers family. Following the September 11 attacks, Steve and Liz Porter and Todd and Mikki Rogers wanted to help those affected by the tragedies.

Together, these two families created a project called Comfort the Kids. Their goal was lofty, to create 10,000 small red, white and blue quilts for the children who have suffered family losses by the end of the year. They were not alone in their efforts. Their Web site, www.ComfortTheKids.org, is currently receiving an average of one hit per minute. School districts, Boy Scouts and countless other families and individuals are joining them in their efforts. These quilts will not only comfort the recipient, but will serve as a hand-made symbol of compassion. I thank the Porter family and the Rogers family for their hard work, and commend them for their efforts. They represent the best of America.

SAVE AMERICAN STEEL INDUSTRY

(Mr. KUCINICH asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. KUCINICH. Mr. Speaker, today steelworkers from across the United States have come to Washington to ask our House to recognize their plight and the plight of U.S. Steel. Today the United States stands facing a faltering and in danger of collapse. Tens of thousands of men and women who have helped to secure the defense of this country through their work in creating and making this product called steel are in danger of losing their jobs and having their whole way of life be destroyed.

Mr. Speaker, it is time for this country to ask itself whether or not it is in our national interest and in the interest of our national defense to maintain our steel industry; or shall we become dependent on foreign steel, the same way we are dependent on foreign oil.

This House will have an opportunity before we complete our business to address the issues, to give the steelworkers some relief, to make it possible for steel loan guarantees to be more widely applicable, to give an opportunity for net operating loss to put cash into steel companies so they can keep going. This Congress has an obligation to carry forth for the future of this country our ability to make steel.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. PETRI). Members are again reminded not to characterize the actions of the Senate.

CALLING FOR LEGISLATION TO AID THE STEEL INDUSTRY

(Mr. CARDIN asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. CARDIN. Mr. Speaker, many of my colleagues have talked about before we go home, we must pass a stimulus package. I agree that we cannot go home without doing something for the people who have lost their jobs as a result of the recession and the attack on our country. And we must do something for the steelworkers so they do not become part of the people collecting unemployment insurance in our community. We have to protect the retirees for the health benefits that they are currently receiving.

We need to do this because the price of steel in this country is below cost, international cost, because our trade policies have allowed dumped, subsidized steel to come into the United States. Our own trade policy has reduced capacity so we have what is known as legacy cost, high cost for the steel industry for retirees.

This House, this body, must pass legislation helping the steel industry before we leave town. It is our responsibility to do it. We must create a level playing field. If we do, steel in the
United States can compete with steel produced anywhere in the world on quality and cost. Yes, we must pass legislation before we go home.

STILL NO RESPONSE FROM THE SENATE ON ECONOMIC SECURITY

(Mr. TIAHRT asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. TIAHRT. Mr. Speaker, House Republicans have passed an economic security package to create new jobs and help unemployed workers. But the stalling economy continues to be in jeopardy because of the legislative process which continues to stall economic security legislation.

What are we waiting for? A stock market crash? Two-dollar-per-gallon gasoline? The failure to prepare and respond with sound initiatives to aid the economy indicates a disturbing disconnect between the elected officials and the state of the union.

The unemployment rate rose to its highest level in 6 years. Yet the leadership in Congress is constructing roadblocks and sitting on legislation to get the economy out of recession. More Americans lost their jobs last month, yet the legislative process refuses to respond with a plan of recovery.

Mr. Speaker, it is time to get the economic security act moving. It is time to get serious and match the House’s work.

COMMEMORATING THE 25TH ANNIVERSARY OF FAMILY LIFE

(Mr. BOOZMAN asked and was given permission to address the House for 1 minute.)

Mr. BOOZMAN. Mr. Speaker, I rise today to commemorate a wonderful organization named Family Life. Since before the tragic events of September 11, there have been numerous stories of couples seeking assistance in reconciling their differences and continuing their commitment to each other. Many of these couples have sought out the assistance of Family Life.

For 25 years, Family Life, under the leadership of Dennis Rainey, has been helping struggling relationships become happy unions again. Formed as a means to provide Campus Crusade staff members premarriage seminars, community leaders and pastors soon learned of the group and encouraged them to provide their blueprint on how to build strong homes to the general public.

Since then, more than 1 million people have attended Family Life conferences and even more have used their materials. At the heart of Family Life is a lay volunteer network of more than 10,000 couples. Many are helping Family Life reach couples as city ministers by leading study groups. With their help, Family Life has blossomed into a very effective support network for families, one home at a time.

In honor of their hard work and dedication, Governor Huckabee proclaimed this week will be Family Life Week in Arkansas. Mr. Speaker, I stand with my governor in recognizing the importance of the family unit and the service that Family Life has provided to preserve this cornerstone of society.

HONORING STUDENTS FROM MOLALLA ELEMENTARY SCHOOL

(Ms. HOOLEY of Oregon asked and was given permission to address the House for 1 minute.)

Ms. HOOLEY. Oregon Mr. Speaker, I rise today to honor a very special group of students from Molalla Elementary School. Like the rest of America, these girls and boys were shocked by the attacks on the Pentagon and the World Trade Center. After a great deal of brainstorming, they agreed to raise $5,000 to send to the Families of Freedom scholarship fund which has been set up by former President Bill Clinton and former Senator Bob Dole. This fund will provide education assistance for postsecondary education to financially needy relatives of those killed or permanently disabled as a result of the terrorist attacks.

I know that the students worked extremely hard to raise the $5,000. Some of them, I know, made great sacrifices to do this. I am so proud to represent the students of Molalla Elementary and thank them for their generous, heartwarming gift.

ECONOMIC SECURITY NOW

(Mr. HAYES asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. HAYES. Mr. Speaker, last week I wrote the leader of the other body a letter. Today I call on the majority leader in the other body to schedule a vote on the economic security act immediately. There is no greater need in America today than permanent economic security to create new jobs and help unemployed workers. But the other body need? The American people want economic security, and the American people deserve action on this now. It is time for the other body to stop stalling and pass an economic security/stimulus plan.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. SIMPSON). Members are reminded by the Chair not to encourage or discourage action by the other body.

APPOINTMENT OF MEMBER TO BOARD OF VISITORS TO UNITED STATES MILITARY ACADEMY

The SPEAKER pro tempore. Without objection, and pursuant to 10 United States Code 4355(a), the Chair announces the Speaker’s appointment of the following Member of the House to the Board of Visitors to the United States Military Academy.

Mr. HINCHLEY of New York. There was no objection.

CONFERENCE REPORT ON H.R. 2883, INTELLIGENCE AUTHORIZATION ACT FOR FISCAL YEAR 2002

Mr. GOSS. Mr. Speaker, by direction of the Committee on Rules, I call up the conference report to accompany H.R. 2883, the Intelligence Authorization Act for Fiscal Year 2002.

Ms. HOOLEY of Oregon. Mr. Speaker, yesterday I asked and was given permission to address the House for 1 minute.

(Mr. TIAHRT asked and was given permission to address the House for 1 minute.)

Mr. TIAHRT. The American people don’t want to hear partisanship. The American people want the President’s economic security bill to pass. I yield the customary 30 minutes to the gentleman from Florida (Mr. HASTINGS), pending which I yield myself such time as I may consume.

The SPEAKER pro tempore. Without objection, the time yielded is for the purpose of debate only.

Mr. Speaker, H. Res. 312 is a standard rule that allows the House to consider the conference report to accompany H.R. 2883, the Intelligence Authorization Act for Fiscal Year 2002. The rule waives all points of order against the conference report. The rule is the normal rule we have for conference reports.

The intelligence authorization bill is a critical piece of legislation in any average year, but this year, given the recent September 11 tragedies and the war we are waging against terrorism as we speak, it is absolutely essential that we get this bill to the President’s desk without any further delay. As Members are aware, the National Security Act requires that Congress authorize the President’s request for military assistance and intelligence and intelligence-related activities of the United States Government, the Community Management Account, and the Central Intelligence Agency Retirement and Disability System, and for other purposes. All points of order against the conference report and against its consideration are waived.

The SPEAKER pro tempore. That upon adoption of this resolution it shall be in order to consider the conference report to accompany the bill (H.R. 2883) to authorize appropriations for fiscal year 2002 for intelligence and intelligence-related activities of the United States Government, the Community Management Account, and the Central Intelligence Agency Retirement and Disability System, and for other purposes. All points of order against the conference report and against its consideration are waived.

The SPEAKER pro tempore. The gentleman from Florida (Mr. Goss) is recognized for 1 hour.

Mr. GOSS. Mr. Speaker, for the purpose of debate only, I yield the customary 30 minutes to the gentleman from Florida (Mr. HASTINGS), pending which I yield myself such time as I may consume.

The SPEAKER pro tempore. Without objection, the time yielded is for the purpose of debate only.

Mr. Speaker, H. Res. 312 is a standard rule that allows the House to consider the conference report to accompany H.R. 2883, the Intelligence Authorization Act for Fiscal Year 2002. The rule waives all points of order against the conference report. The rule is the normal rule we have for conference reports. The intelligence authorization bill is a critical piece of legislation in any average year, but this year, given the recent September 11 tragedies and the war we are waging against terrorism as we speak, it is absolutely essential that we get this bill to the President’s desk without any further delay. As Members are aware, the National Security Act requires that Congress authorize the President’s request for military assistance and intelligence and intelligence-related activities of the United States Government, the Community Management Account, and the Central Intelligence Agency Retirement and Disability System, and for other purposes. All points of order against the conference report and against its consideration are waived.

The SPEAKER pro tempore. The Speaker pro tempore. Without objection, and pursuant to 10 United States Code 4355(a), the Chair announces the Speaker’s appointment of the following Member of the House to the Board of Visitors to the United States Military Academy.

Mr. HINCHLEY of New York. There was no objection.

CONFERENCE REPORT ON H.R. 2883, INTELLIGENCE AUTHORIZATION ACT FOR FISCAL YEAR 2002

Mr. GOSS. Mr. Speaker, by direction of the Committee on Rules, I call up the conference report to accompany H.R. 2883, the Intelligence Authorization Act for Fiscal Year 2002.

Ms. HOOLEY of Oregon. Mr. Speaker, yesterday I asked and was given permission to address the House for 1 minute.

(Mr. TIAHRT asked and was given permission to address the House for 1 minute.)

Mr. TIAHRT. The American people don’t want to hear partisanship. The American people want the President’s economic security bill to pass. I yield the customary 30 minutes to the gentleman from Florida (Mr. HASTINGS), pending which I yield myself such time as I may consume.

The SPEAKER pro tempore. Without objection, the time yielded is for the purpose of debate only.

Mr. Speaker, H. Res. 312 is a standard rule that allows the House to consider the conference report to accompany H.R. 2883, the Intelligence Authorization Act for Fiscal Year 2002. The rule waives all points of order against the conference report. The rule is the normal rule we have for conference reports.

The intelligence authorization bill is a critical piece of legislation in any average year, but this year, given the recent September 11 tragedies and the war we are waging against terrorism as we speak, it is absolutely essential that we get this bill to the President’s desk without any further delay. As Members are aware, the National Security Act requires that Congress authorize the President’s request for military assistance and intelligence and intelligence-related activities of the United States Government, the Community Management Account, and the Central Intelligence Agency Retirement and Disability System, and for other purposes. All points of order against the conference report and against its consideration are waived.

The SPEAKER pro tempore. The Speaker pro tempore. Without objection, and pursuant to 10 United States Code 4355(a), the Chair announces the Speaker’s appointment of the following Member of the House to the Board of Visitors to the United States Military Academy.

Mr. HINCHLEY of New York. There was no objection.
been a fundamental shift in intelligence and defense priorities, as the President has stated, and these authorities must be reflected in law.

While we will discuss the conference report in greater detail during the general rules consideration and I would like to highlight a few of the ways that the legislation will tackle both critical counterterrorism challenges as well as the long-term problems facing America's intelligence community.

The report increases funding for foreign language capability. Obviously this is a critical requirement in the fight against terrorism because it is all over the world and we need the language capability. It certainly is also a basic, core competency for our intelligence community. The Permanent Select Committee on Intelligence has pushed this issue for several years and we are going to continue to push it in the future until we get better results.

Another core intelligence capability this conference report bolsters is human intelligence. In addition to providing the necessary resources for this, the conference report includes a version of the House language directing the Director of Central Intelligence to repeal the so-called Deutch 1995 guidelines on the recruitment of human sources. These guidelines may have been issued with the best of intentions, and no doubt were, but in practice, they have had a chilling effect on our ability to gain vital intelligence from sources with access to unsavory characters, particularly such as terrorists.

Finally, this conference report includes a House provision requiring an accounting from the Director of Central Intelligence concerning whether and to what extent the intelligence community has implemented the recommendations of the Bremer, the Hart-Rudman and the Gilmore commissions. All of those were reports on terrorism and the vulnerabilities and threats to our security and the security of Americans at home and abroad. As Members are aware, these independent commissions examined the United States' measures for prevention of and preparedness for terrorist attacks. All of the provisions are essentially components to the health of the intelligence community and our country.

I urge the House to adopt the rule and embrace the conference report.

Mr. Speaker, I reserve the balance of my time.

Mr. HASTINGS of Florida. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I would like to thank my good friend and colleague from Florida for providing the time. It is a pleasure for me to serve with Chairman Goss on both the Committee on Rules and the Permanent Select Committee on Intelligence.

Mr. Speaker, I rise in support of this rule, pursuant to the consideration of H.R. 2883, the Intelligence Authorization Act for Fiscal Year 2002. H. Res. 252 is a modified open rule requiring that amendments be preprinted in the CONGRESSIONAL RECORD. However, Mr. Speaker, the preprinting requirement has been the accepted practice for a number of years because of the sensitive nature of much of the bill and the need to report its classified documents. The bill is not controversial and was reported from the Permanent Select Committee on Intelligence by a unanimous vote.

Members who wish to do so, and I urge Members to pay attention to this, can go to the Permanent Select Committee on Intelligence Office to examine the classified schedule of authorizations for the programs and activities of the intelligence and intelligence-related activities of the national intelligence program, which includes the Central Intelligence Agency as well as the foreign intelligence and counterintelligence programs within, among others, the Department of Defense, the National Security Agency, the Departments of State, Treasury and Energy and the FBI.

Also included in the classified documents are the authorizations for the Tactical Intelligence and Related Activities and Joint Military Intelligence Program of the Department of Defense. Members can go to the committee and review those matters.

Mr. Speaker, last week the House considered and passed the authorization for the Department of Defense for fiscal year 2002. The intelligence bill we consider today is another critical component in our national defense. Today, more than ever, we need to be vigilant about the myriad threats to our national security.

Mr. Speaker, while there will be debate on some worthy amendments, this is a noncontroversial bill providing authorizations for important national security programs. I urge my colleagues to support this rule and to support the underlying bill.

Mr. Speaker, I yield back the balance of my time.

Mr. GOSS. Mr. Speaker. I yield back the balance of my time, and I move the previous question on the resolution. The previous question was ordered. The resolution was agreed to.

A motion to reconsider was laid on the table.

Mr. GOSS. Mr. Speaker, pursuant to House Resolution 312 just passed, I call up the conference report on the bill (H.R. 2883) to authorize appropriations for fiscal year 2002 for intelligence and intelligence-related activities of the United States Government, the Community Management Account, and the Central Intelligence Agency Retirement and Disability System, and for other purposes.

The Clerk read the title of the bill.

The SPEAKER pro tempore (Mr. SIMPSON). Pursuant to rule XXII, the conference report is considered having been read.

(FOR CONFERENCE REPORT AND STATEMENT, SEE PROCEEDINGS OF THE HOUSE OF DECEMBER 6, 2001, AT PAGE H9057.)

The SPEAKER pro tempore, The gentleman from Florida (Mr. Goss) and the gentlewoman from California (Ms. PELOSI) each will control 30 minutes.

The Chair recognizes the gentleman from Florida (Mr. Goss).

Mr. GOSS. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise in strong support today of the conference report before us. Before I begin the main part of my statement, let me first acknowledge and thank the Members of the House Permanent Select Committee on Intelligence, each and every one of them, but especially our ranking member, the gentlewoman from California (Ms. PELOSI), for hard work, dedication, showing up and doing the business that needed to be done, and doing it intelligently and with a good deal of thoughtfulness.

I also want to specifically thank the committee staff on both sides of the aisle for their untiring efforts that have gotten us to this point. I very much appreciate the way they work in a bipartisan way.

Obviously, I need to thank the Senate Permanent Select Committee on Intelligence Members and their staffs as well, especially under the steady hand of the chairman, my good friend, Senator GARAM, and the vice chairman, my good friend, Senator SHELBY. We appreciate the efforts they have put in.

Mr. Speaker, by definition a conference is a time when the two bodies come together to settle whatever differences there may be between the bills, often including resolution of differences of opinion and viewpoints on how money is needed, how it should be spent, what laws should be changed, what direction the administration should go, those kinds of things. But in this case, we are talking about protecting our Nation's security at a time when this is very much in the forefront of everybody's attention.

Ironically, Mr. Speaker, this conference found very, very few differences of opinion between the two bodies, and, frankly, between the points of view on either side of the aisle, on these and other areas. When it comes to national security, we seem to be pulling together very strongly in the area of intelligence.

Let me briefly review some of the areas of agreement. First, intelligence is our first line of defense; and it must be treated as such, especially on our war on terrorism, one of the new transnational threats we are, regretfully, beginning to understand a lot better. Although it may get lost in the continuous CNN optic of the coverage going on in Afghanistan and the Pentagon releases of bombs exploding and troops on the move, none of the activity there is actual without good intelligence.

Second, there are four key areas where the administration and Congress must immediately address themselves...
if we are to properly protect the country's rights and freedoms. They are revitalizing the National Security Agency and the signals intelligence system, upon which we have had such wonderful production and service over the years and now needs upgrading; constructing in confidence and collecting human intelligence, a matter which we all understand very well, something we cannot do without; providing a more appropriate balance between intelligence collection and analysis; and building a global intelligence capability, something we have been talking about for years; and rebuilding a robust research and development program across the intelligence communities.

We have been so lucky and so well helped by the innovation and creativity that our country produces and the applications we have been able to use in the intelligence community over the last 50 years, and we need to have more applications days ahead.

There are other areas of concern besides these four, but these are the most critical for the types of threats that we face now and that we are going to face, we think, over the next few years; and they are certainly the areas that we are in full agreement with the other body on.

Thirdly, the intelligence community has got to be better focused on strategic intelligence and better positioned to be able to convey to the Congress and the American people, in a very clear and effective manner, that there is, what is going on in the minds of the evil-doers, the mischief makers, in order to prevent the crisis. We do not want to be just great at sweeping up after the tragedy; we want to stop the tragedy before it happens. In short, we must have an intelligence community culture that is less risk averse.

My last example is that the conferences believe that any effort to invest in and expand these intelligence capabilities, and such efforts clearly must be made, will only be marginally successful if it does not also include provision for a more appropriate management structure for the intelligence community. We are talking here basic architecture and the appropriate management overlay to make the system work.

Today's intelligence structure is insufficient for today's and tomorrow's challenges. We know it, and we have to get a grip on dealing with these issues, and I am pleased that the administration is taking up that challenge. We look forward to working with the President and his administration on these issues. They simply cannot wait.

Mr. Speaker, this does not mean that there were not differences between the bodies during our conference. There were. I am happy to report that there were few and that we were worked out successfully and the result is a conference report that was approved by a vast majority of the conference. There are a couple of areas where I would have liked things to have turned out differently personally, but that did not happen; and in the spirit of compromise, I am happy to support what I think is a very good conference report which will serve this country well. Again, I commend my colleagues for working in that spirit.

Mr. Speaker, I reserve the balance of my time.

Recently, I had occasion to review the intelligence bills and conference reports since the 104th Congress. In the 104th Congress, we noted that there was a growing threat and a growing vulnerability to terrorism. We sent a message. We thought about the need to share information better between intelligence and law enforcement. Remember, this is back in the 104th Congress. We talked about the need to invest more robustly in intelligence resources.

Then in the 105th Congress we noted that the intelligence community must "keep a watchful eye on the areas that are likely to be tomorrow's crises." I would point out that we mentioned the transnational threats.

We also mentioned that our national security was being affected by a broader set of issues that have not been identified with our global interests. We noted that in order to rebuild our intelligence capabilities and we expressed concern over the growing apathy toward national security and intelligence.

Again, these issues were raised in the 106th Congress, where we stated that there was a growing threat of a rogue nation or group would acquire some other weapon of mass destruction. We need to invest more robustly in intelligence resources.

Mr. Speaker, I am not pointing these facts out to say "we told you so." Far from it. The point is that we must engage with this administration now, and we must put significant effort into the intelligence capabilities. We cannot wait. The events of September 11, sadly, stand as a reminder of what happens when we let our intelligence guard down.

Mr. Speaker, this conference report is a good start toward rebuilding what the Nation needs. But it is only a start. It is a snapshot in time. Many of us refer to it as the first year of a 5-year plan. We look forward to working with the administration to secure our national freedom. We look forward to working in a nonpartisan way to do this with the passage of this conference report. I am fully supportive of the report. I encourage its passage.

Mr. Speaker, I reserve the balance of my time.

Ms. PELOSI. Mr. Speaker, I yield myself such time as I may consume.

Our chairman has very well explained how we got to the point we are at today. I want to congratulate the leadership he has provided to the committee, not only at the conference meeting but throughout what has turned out to be a very challenging year. I thank the chairman.

The House version of the intelligence authorization bill came to the floor a little over 3 weeks after the terrorist attacks on New York City, Washington, and Pennsylvania. Active and retired intelligence community personnel were killed in the World Trade Center and at the Pentagon.

In the weeks since, the United States has begun to strike back at those who
were involved in the September attacks, and at those who support them. On Monday, the first combat fatality of the struggle against terrorism in Afghanistan was buried at Arlington National Cemetery. Mike Spann was a CIA officer. We eulogized him yesterday evening. And I want to vote in the presence of his family: his wife, Shannon; his parents, and his children.

Timely and reliable intelligence, as we know, is crucial to the successful conclusion of the war on terrorism, and it is already clear that intelligence officers will be deeply involved, at home and in the field, in the difficult and dangerous job of ensuring that our policymakers and military commanders have the information on which they will increasingly depend.

The emergency supplemental appropriations bill passed in the wake of the September attacks provided a large amount of additional resources for intelligence programs and activities. This conference report provides more: substantially more, than was provided last year, and significantly more than was requested by the President.

Our chairman has gone over some of the priorities in the bill, and I want to associate myself with those. That would be human intelligence capabilities that he talked about and TPED, the tasking, processing, exploitation and dissemination of intelligence. It is very important for us to put more resources in this area. The priority for us in the bill was the investment in advanced research and development projects necessary to keep pace with changes in technology, and, of course, the technology necessary to improve the process of collecting and processing intelligence.

Some of these funds that are in this bill will continue improvements as the chairman emphasized, in our human intelligence capabilities, to ensure that case officers receive the kind of training they need, particularly in foreign languages, to enable them to do their jobs effectively.

Some of these funds will make investments in the kinds of systems required if agencies like the National Security Agency and the National Reconnaissance Office are to keep pace with rapid technological change. The modernization of NSA remains a top priority of the committee and measurable progress is expected in the coming year. As steadfast as the committee has been in advocating more spending on intelligence, it must now be equally engaged in conducting the kind of oversight necessary to make certain that these additional funds are spent efficiently on programs that will really make a difference, not only in the current effort against terrorism, but on the demands of an uncertain future as well.

Although I am satisfied with the disposition made by the conferees on most of the items which separated the two bodies, I was disappointed with the resolution of the provision in the House bill which would have established an independent commission to review the Nation’s security posture immediately preceding September 11. Our colleagues in the Senate and in the two intelligence committees could undertake an inquiry into the readiness of the intelligence community, and other committees of jurisdiction could examine the other elements of the executive branch of the United States.

The issue was never whether the committees had the resources to do this job, it was whether it made sense for them to do it. I am concerned that an independent review would have had credibility with the American people that a congressional review, no matter how professionally done, will not.

The House version of the bill, when it left our committee stated, Mr. Speaker, “The committee believes that the Commission on the Presidency, the Tasking, Processing, Exploitation and Dissemination of Information, should be reconstituted with the purpose of conducting an independent inquiry into the readiness of the intelligence community, and other committees of jurisdiction could examine the other elements of the executive branch of the United States.”

It goes on further. I want to put these words on the record. This body chose to modify the Commission and change its nature, but when we got to the conference, the Commission was eliminated all together. I want to put on the record the spirit of independence that I hoped the review would have.

This is not about finger-pointing or assigning blame; it really is more about understanding whatever government shortcomings may have contributed to the events of September 11. An independent inquiry will one day be conducted with new guidelines which achieve balance.

This controversy has obscured the fact that encouraging a potential asset to betray his or her country or cause is insufficient CIA headquarters involvement in decisions to recruit as assets individuals with poor records of respecting human rights or the law, guidelines were issued that that the House approved a provision in the committee’s bill which would have required a rescission of the existing guidelines and their replacement with new guidelines which achieve balance that “recognized concerns about egregious human rights behavior, but provides the much needed flexibility to seize upon opportunities as they present themselves.” The House made clear that in striking this balance, “there is a need for a bal- ance that recognizes the identification of individuals who, because of their unreliability, instability, or nature of past misconduct, should be avoided.” Again, the gentleman from Nebraska (Mr. BEREUTER) led the way on this compromise that was in the House bill.

Although the DCI chose to rescind and reissue the guidelines before the legislative process was complete, the heart of the language which I was pleased to work with the gentleman from Nebraska, was in this conference. The conferees want the current, more streamlined guidelines reviewed again to make certain that they provide appropriate encouragement to case officers to do their jobs well. As the statement of managers makes clear, however, whatever the results of that review, any guidelines issued “must balance concerns about human rights behavior and law-breaking” with the efforts to provide flexibility to take advantage of opportunities to gather information. This controversy is the proper interpretation of the phrase “more appropriately weigh and incentivize risk” which appears in
Mr. Speaker, our President, when he came to the House on September 14, three days after the tragedy, said that we will bring the perpetrators of that tragedy to justice, or we will bring justice to them, but justice will be done. We want to be sure that our intelligence capabilities help the President reach that goal, a goal that we all share. Hopefully, this bill will take us closer to that.

I believe the conference agreement will contribute significantly to meeting the intelligence needs of the Nation, and I urge its adoption. I again associate myself with many of the remarks made by my chairman, particularly those about sharing of information by the FBI. Once again, I want to extend the sympathies of my constituents and I know all of our colleagues, to the family of Mike Spann and the Special Forces soldiers, the Green Berets of the United States, who worked so hard and who did an extraordinary job to make sure that this audience for the message is now new. ''

Mr. GOSS. Mr. Speaker, I am pleased to yield 2 1⁄2 minutes to the distinguished gentleman from Nebraska (Mr. BEREUTER), the vice chairman of the Permanent Select Committee on Intelligence and the chairman of the Subcommittee on Intelligence Policy and National Security. (Mr. BEREUTER asked and was given permission to revise and extend his remarks.)

Mr. BEREUTER. Mr. Speaker, I thank the gentleman for yielding me this time.

Mr. Speaker, this Member congratulates and commends the exemplary bipartisan effort of the chairman, the distinguished gentleman from Florida (Mr. GOSS), and his counterpart in the other body, the distinguished senior Senator from Florida, Senator Graham. I also want to extend my congratulations and appreciation to the distinguished gentlemanwoman from California (Ms. PELOSI), for continuing to give us the leadership for a bipartisan conference report.

I rise, of course, in strong support of the conference report. Under the leadership of the people I have just mentioned, the legislative branch continues to move rapidly to address a number of long-standing deficiencies in our intelligence collection and analysis programs. The chairman’s comments about the high quality work and dedication of the committee’s first-rate staff are exactly on the mark, and I express my personal appreciation for their expertise, dedication, and hard work throughout the year.

Mr. Speaker, it is important to note that the Select Permanent Committee on Intelligence has not suddenly awakened to the very real funding deficiencies and program matter inadequacies of the intelligence agencies. For years, the intelligence committee has worked to reorient and enhance the effectiveness of the intelligence community and, of course, that has not received much public attention. But now, more than ever, people understand through tragedy that our intelligence and counterterrorism programs are extremely important. As the distinguished chairman, the gentleman from Florida (Mr. GOSS) has frequently noted, “The message is not new; the audience for the message is now new.”

I want to express my appreciation for the fact that he has gone back a few minutes ago to previous Congresses, back at least to the 104th Congress, to give some indication that the committee for some period of time has recognized and tried to address these transnational problems that are relatively new in the national focus. Responsible for the Nation’s intelligence requirements now clearly has become a recognized national priority across the country in the aftermath of the September 11 terrorist attack. One result is a natural tendency to seek a simple solution, a quick fix. The conference report provides much-needed additional funds to improve our intelligence capabilities and to wage the war against terrorism, but at a more fundamental level, H.R. 2883 continues to aim even more aggressively to address underlying policy inadequacies and structural problems. I know all members of the committee would agree our work is not done, that we are looking forward to taking on this task during the next year.

In some cases, these are problems that have been years in the making and will take a number of years to reverse. For example, the conference report continues support for additional accomplishments in HUMINT collection. Human intelligence, or HUMINT, is the placement of highly-trained, language-capable officers in positions where they can acquire information vital to our national interests. Our HUMINT capacity was substantially downgraded in the years following the end of the Cold War. Also, our human intelligence collection efforts was understatedly directed during the Cold War period at collection of the Soviet Union and its client states. Not in Africa, Latin America, the Middle East, South Asia, and especially not in the problems of transnational terrorism and narcotics trafficking. The conference report continues this body’s efforts at addressing these deficiencies and the new priorities during the next Congress.

Addressing another reason for the HUMINT inadequacies, this Member is particularly gratified that the conferees agreed to reverse the 1995 limitations on asset recruitment, and I especially appreciate the cooperation and assistance of the gentleman from California (Ms. PELOSI) for the committee in working with me, and the chairman. These restrictions, called “the Deutsch guidelines,” were promulgated as a means to limit our association with unsavory individuals, with human rights or other criminal problems. While the concerns underlying the Deutsch guidelines were certainly valid, resulting from revelations about the problems of the 1970s and early 1980s, the reality is that the Deutsch guidelines have had a chilling effect on the recruitment of people who can actually and effectively penetrate the criminal circles of terrorist networks and narcotics rings. The recruitment of assets with unique knowledge or access to these terrorists and drug cartels is the key to successful HUMINT against these targets. The regrettable, real-world reality is that especially in the crucial battle against terrorism, we must allow our foreign officers to recruit assets that sometimes are rather unsavory characters. To win the war on terrorism, we have to end the cycle of risk aversion by our intelligence operatives and our superiors in headquarters. Recruiting Boy Scouts will not give us the penetration and intelligence we need.

In many cases, there will be difficult decisions to make, but the U.S. has professionals in the intelligence and law enforcement fields who can and must make those decisions. This conference report makes clear that our foreign intelligence personnel must recruit as agents those who possess the detailed and timely information which the United States needs to defend its people and its interests. Admittedly, there are risks with such recruited agents, but if the risks are realistically weighed against the benefits, the enhanced chances of operational success, this body must not rashly second-guess those decisions or fail to replace the Deutsch guidelines where they are detrimental to effective intelligence-gathering.

Mr. Speaker, this Member urges adoption of the conference report on the Intelligence authorizations for fiscal year 2002.

Ms. PELOSI. Mr. Speaker, I am pleased to yield 2 1⁄2 minutes to the distinguished gentleman from Georgia (Mr. BISHOP), who is the ranking member on the Subcommittee on Technical and Tactical Intelligence of the Permanent Select Committee on Intelligence.

Mr. BISHOP. Mr. Speaker, I thank the gentleman for yielding me this time.

As the ranking member of the Subcommittee on Technical and Tactical Intelligence, I rise in support of this conference report. It is a good work product. I want to thank and to congratulate the chairman, the chief ranking member, and especially our staff, who worked so hard and who did an extraordinary job to make sure that this package will serve to improve our country’s ability to provide the best real-time information possible to our war-fighters and our policymakers, so as to protect Americans wherever they may be situated in the world.
The intelligence systems and activities that are funded by this conference report are a prominent and indispensable element of the war on terrorism.

In the short time between September 11 and the time the committee marked up the authorization bill, this committee worked extremely hard in a completely nonpartisan manner to develop proposals to correct shortfalls and to establish a basis for continued reform and innovation.

Most of these proposals are reflected in this conference report. The human element in this war on terrorism is fundamental, and it is an appropriate focus of our attention. But American technological prowess will greatly determine how effective our soldiers and intelligence officers will be, how many casualties our forces suffer, and how many innocent lives will be lost or protected.

The precision of our air campaign in Afghanistan is wondrous, and we must always remember that it depends as much on precise intelligence as on the guidance system of the missiles or the bomb itself. These technical intelligence capabilities is expensive, and it is often difficult. Sometimes we make mistakes; but usually we, the government, and American industry get it right in the end. I am gratified to be part of this process.

Mr. Speaker, this bill is a good start on correcting the problems in the intelligence community, but there is clearly much more that must be done. I speak, I believe, for all of my colleagues on the committee in again commending the chairman and our ranking member for their dedication, and also the gentleman from Delaware (Mr. CASTLE), my own counterpart, in assuring that our intelligence organizations can protect Americans against the new menace.

Mr. Speaker, I urge adoption of this report.

Ms. PELOSI. Mr. Speaker, I am pleased to yield 4 minutes to the gentlewoman from California (Ms. HARMS), a distinguished member of our committee and the ranking member on the Subcommittee on Terrorism and Homeland Security.

Ms. HARMAN. Mr. Speaker, I thank my colleague for yielding time to me, and I join in saluting American heroes who have given their lives in the fight against terrorism in the aftermath of September 11.

Mr. Speaker, I commend the gentleman from Florida (Mr. Goss) and the ranking member, the gentlewoman from California (Ms. PELOSI), for their leadership in bringing this conference report to the House.

I also commend the hard work of our committee colleagues and staff, whose bipartisan approach attempts to ensure that the Nation has the best intelligence capabilities.

I love serving on this committee and as ranking member of the Subcommittee on Terrorism and Homeland Security. It is a high honor, and it honors the constituents of California’s 36th Congressional District, who design and build most of our Nation’s intelligence satellites.

Yesterday, Mr. Speaker, President Bush spoke to 1,900 cadets at the Citadel and laid out three priorities for national defense: first, speeding the transformation of the military to face 21st century threats; second, protecting against proliferation of weapons of mass destruction; and third, strengthening our intelligence capability. All these goals are important, and I strongly support them.

This bill goes a long way toward accomplishing the third: this bill provides increased funding for human, technical, and tactical counterterrorism activities; it rescinds the CIA guidelines that may have restricted recruitment of some people with critical information on terrorist groups; and it requires the CIA to develop guidelines to rebalance the recruitment process.

Also, it requires the administration to explain why it has not implemented the recommendations of three national commissions that studied terrorism and homeland security. On one of those commissions, the congressionally mandated Commission on Terrorism, all three produced good ideas that are still good today.

Mr. Speaker, today we are voting on a bill that authorizes spending for the Nation’s intelligence organizations, operations, and the brave men and women, such as our fallen CIA officer Mike Spann, who are stationed all around the globe collecting and analyzing information to provide our true first line of defense.

Tragically, the events of September 11 have made crystal clear what many of us in the Congress have been saying for sometime, that we need to significantly improve our intelligence-gathering, analysis, and dissemination capabilities.

I do not for one moment blame the agencies, from New York, Washington, and Pennsylvania on an intelligence failure. Indeed, that blame can only be assigned to radical fanatics who would see America fall. But I do assign some blame on our collective lack of attention for maintaining a robust, properly resourced, and forward-leaning intelligence community that is not unduly restricted from collecting information on foreign threats to our country.

The authorization levels in this bill were determined by the conference committee as appropriate for beginning to rebuild our Nation’s intelligence defenses. In the wake of 9-11, our intelligence organizations and
Mr. Speaker, I rise in strong support of the conference report the staff has been developing for the National Intelligence Authorization Conference Report. I want to tell you how pleased I am with the special support that the staff has given our committee. It has been an excellent product, and we are grateful for their hard work.

Yesterday, I was pleased to hear Mr. Spann, the first American to die in combat in Afghanistan. We pledged to continue to support our men and women, to ensure the safety to all of our citizens. This conference report makes good on that pledge.

Mr. Speaker, I would like to commend and congratulate the chairman of the committee, as well as the ranking member, the gentleman from California (Ms. Pelosi), for this product, because it is a very difficult job that helps build a better and safer Nation. I congratulate them and thank them for their leadership.

Mr. Goss, Mr. Speaker, I am very pleased to yield 3 minutes to the distinguished gentleman from Nevada (Mr. Condi). The gentleman for yielding time to me. I thank the gentleman for yielding time to me. I thank the chairman of the full committee and the ranking member, the gentleman from California (Ms. Pelosi), for bringing before this House what I feel is probably one of the best intelligence authorization conference report bills we have had in a long time.

As a result, I do stand here in strong support of the conference report.

Mr. Speaker, since September 11, all Americans have a role. I believe, our intelligence community working at its best. America, unfortunately, did witness its first loss, our first combat loss of an American hero in our war on terrorism. CIA agent Johnny Mike Spann. Now we must provide the resources needed to combat terrorism at the most basic level for intelligence.

This, Mr. Speaker, is a good bill. It provides significant resources to the intelligence community which, during the last decade, went underfunded, understaffed, and underappreciated.

The intelligence community which, during the last decade, went underfunded, understaffed, and underappreciated.

The 1990s were a period of significant pressure on our intelligence agencies to do more with less. The intelligence budget and the resources provided to our intelligence agencies were inadequate to the challenges they faced.

How do we address that in this bill? We could do it with a quick fix, we could do it with bold reform, or we could construct the platform for
change into the future. We have mostly settled on the latter, platform for change, transformative change; and I think that has been a good, healthy approach. I do, however, wish that we would have taken steps for bold change in two or three areas, like, as our ranking member mentioned, an independent intelligence community, and we need to look at the cultural changes, Moving to transnational targets, rather than being comfortable going at just other countries' intelligence capabilities, we need to look at going after biological and chemical weapons and nuclear weapon capabilities of terrorist groups.

We have accomplished a lot, Mr. Speaker. We not only have more money for language and fluency capabilities; we have specifically said that there is congressional interest in this area and the intelligence communities cannot move forward from language and fluency requirements.

We have improved human intelligence in this bill; and as I said before, we are improving the latching up of the military and the intelligence capabilities.

Finally, our hearts and our prayers go out to Johnny Mike Spann and to Shannon Spann for the sacrifices that they and their family have made and the three children who Shannon now raises with the help of that family.

Support this bipartisan conference report, and we look forward to bolder changes next year.

Mr. GOSS. Mr. Speaker, I am pleased to yield 4 minutes to the distinguished gentleman from Georgia (Mr. CHAMBLISS), who is the chairman of our effort on counter terrorist efforts.

Mr. CHAMBLISS. Mr. Speaker, I thank the gentleman from Florida (Mr. Goss) for yielding me the time, and I particularly thank him for his strong leadership, along with the gentlewoman from California (Ms. Pelosi) for bringing this bill to the floor in such great fashion and to the gentlewoman from California (Ms. Harman), the ranking member of my committee, for all who have worked in a very bipartisan way to ensure that we are improving our intelligence community.

And to the staff, they have been under such great pressure. The staff on both sides of the aisle have worked close together to ensure that we are going to win this battle against terrorism.

Mr. Speaker, I do rise in support of the conference report for H.R. 2883. Yesterday, America paused to remember the terrorist acts that shook our Nation and the many acts of heroism and courage that followed. In the intervening 3 months, America has been fighting back and we are winning.

As the President has said on numerous occasions, this is a war that will extend far beyond the conventional battlefield in Afghanistan; and it is a war that will take years, not days, weeks or months. It is a war that will be fought on American soil and on the streets of all our cities and towns alike. It will be fought in the electronic air waves and the bazaars of the Mideast and north Africa, on the streets of London, Paris, Rome and Bangkok, right across the globe.

Conventional weapons will not be enough to safeguard our public from the long-term threat from terrorism. Smart bombs and Special Forces can only be used against targets that have first been identified as posing a threat. Intelligence is the weapon most capable of identifying terrorists, their plans and intentions, operating methods, whereabouts and targets of terrorist attack. When 9-11 happened, the world changed but the threat from the terrorism that we face today changed most of all was the recognition that intelligence is critical to our Nation's defense against terror. In fact, a whole new constituency for intelligence has arisen from the ashes of 9-11, and this new constituency was far too long in coming.

As chairman of the Subcommittee on Terrorism and Homeland Security, I am here to tell the American people that the Intelligence Authorization Act last year was a step in fixing many of the problems that have plagued our intelligence professionals. We have sought to address systemic problems within the intelligence community and to begin to correct some of the funding deficiencies of years past that have crippled our ability to achieve true global coverage in intelligence collection and analysis.

This conference report provides the resources and direction necessary to overcome critical shortfalls in language training programs and to begin to build a workforce that can operate effectively in the languages and environments used by terrorists. In addition, the report addresses in a more decisive fashion than ever before the chronic shortfall in language exploitation capabilities across the community.

The 9-11 attacks also highlighted shortcomings in the way in which intelligence is shared and analyzed. This conference report provides significant new funding to establish additional joint terrorism task forces across the country, and it enables accelerated construction of analytic capability in the law enforcement, military and intelligence spheres that will aid in untangling the complex of webs of terrorist financing, support, movement, assistance, and in other cultures that would serve us well in achieving our mission success and we must draw upon them. Our HUMINT has to look different as we go into the future.

So we recognize and express gratitude to all of them, particularly Mike Spann and the others who lost their lives. We also recognize those who risk their lives every day for freedom in America and to root out terrorism wherever it exists. I want to commend especially, though, the staff of Permanent Select Committee on Intelligence led by Tim Sample on the Republican side. We do...
H9254

CONGRESSIONAL RECORD—HOUSE

December 12, 2001

not really call it the Republican side. We really have a bipartisan approach to this. But he is the chief of staff for the Permanent Select Committee on Intelligence. I want to acknowledge the Democratic side staff: Mike Sheehy, Wyndee Parker, Beth Larson, Carolyn Bartlett, and Sarah Healey, for their good work on our issues, Kirk McConnell, Bob Emmett, and Ilene Romack, who work so hard for us.

I want to commend our chairman for his leadership. It was interesting to work with him on this bill. I commend the chairman, the new Democratic chairman, Senator Graham, and Senator Shelby for their cooperation as well. With that, Mr. Speaker, I urge our colleagues to support the bill.

Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

Mr. GOSS. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I have no further speakers and I just wanted to finish this with some thoughts about how grateful I am and how privileged I am, indeed honored, to serve with such wonderful members. That is a select committee. And I mean it. We have heard today from the chairman and the ranking members of the four subcommittee we now have because we have so much business on the committee. But the others who did not speak, the gentleman from New York, Mr. LaHood, the gentleman from California, Mr. Cunningham, the gentleman from New York, Mr. LaHood, the gentleman from Cali-

fornia (Mr. Dicks), sitting over there. A lot of us have taken credit and—heaped praise back and forth on the work that has been done. A lot of the success we are enjoying today that you are seeing on CNN is coming from the hard work of the people who are working before us, come up with a good piece of legislation which is urgently needed. I see my friend, the gentleman from Washington (Mr. Dickens), sitting over there. I have said all of that, I think that we have with all of this wonderful good will, and responding to the tasks before us, come up with a good piece of legislation which is urgently needed. I see my friend, the gentleman from Washington (Ms. Pelosi), the gentleman from Texas (Mr. Reyes), the gentleman from Michigan (Mr. Hoekstra), the gentleman from North Carolina (Mr. butter), the gentleman from Minnesota (Mr. Peterson), the gentleman from Texas (Mr. reyes), the gentleman from Iowa (Mr. Boswell), the gentleman from Florida (Mr. Hastings), have all contributed mightily to this.

It is obviously a wonderful select committee and able to work with and we are backed up with the kind of staff that we have as the gentlewoman from California (Ms. Pelosi) has said, with Mike Sheehy and Tim Sample and Chris Barton, our top staff keeping us on the track. I think we are able to do our job well. And, of course, a big part of that is the gentlewoman from California (Ms. Pelosi) has said, with Mike Sheehy and Tim Sample and Chris Barton, our top staff keeping us on the track. I think we are able to do our job well. And, of course, a big part of that is the gentlewoman from California (Ms. Pelosi), who has been outstanding with her time, her energy, her attention and her leadership when she has only two other things to do. I do it, I do it. In her portfolio of responsibilities as well.

It is a very good situation for us. I think the people of the United States of America sometimes wonder what the job of Permanent Select Committee on Intelligence is and need to be reassured that today we are talking about advocacy for sure. That is part of our job. We need to make sure that our folks out there have the tools they need to do the job, to do national security.

But the other side of our job is oversight. We do it very diligently and dutifully. And that is to make sure that all of these awesome capabilities are used in a way that is entirely lawful and within keeping of character of the goals and wishes and the standards of the people of the United States of America. We do not have a 1-800 number to flash across the bottom of the screen and say if you have a problem. But we are there as your oversight committee, and if there are problems, we are responsible for dealing with them. And I think we take that seriously, very seriously indeed.

Having said that, I urge my colleagues to support this legislation, and I urge my colleagues to support the conference report. Specifically, I wanted to express my appreciation for the inclusion of the language I offered as an amendment that requires that the Central Intelligence Agency assume 100 percent of the cost of personal liability insurance for certain CIA employees involved in counter-terrorism activities.

Mr. Speaker, for 10 years I served with the Central Intelligence Agency. I spent five years overseas engaged in intelligence collection, counter-intelligence and, in some cases, counter-terrorism. The work was difficult and dangerous. This fact has been reaffirmed by the terrible death of CIA operations officer, Johnny Michael Spann, who was the first American to die in combat in Afghanistan in the fight against terrorism last week. But at no time did I doubt that my government would protect me from any personal liability if I encountered a lawsuit as a consequence of my professional duties.

Today, I understand that CIA officers engaged in counter-terrorism activities are virtually required to have personal liability insurance, but the CIA pays only half of the premium. What incentive does a CIA Case Officer have to do the job if he or she is subject to liability lawsuits? Why would they take any risks if the government were unwilling to cover the cost of liability?

I understand that I served in a different time. But I did have the backing of my government—100 percent. It is time to give this assurance back to our Case Officers, many of

whom are on the front lines of the war on terrorism.

This is not an original idea. In fact, it was a recommendation of the Report of the National Commission on Terrorism, titled "Countering the Changing Threat of International Terrorism" submitted to Congress in June of 2000.

The report states, "The risk of personal liability arising from actions taken in an official capacity discourages law enforcement and intelligence personnel from taking bold actions to combat terrorism." After the tragic events of September 11th, it is apparent that we must do better in our counter-terrorism effort. The least that we can do is guarantee that any CIA officer participating in the war on terrorism will have the full backing of the federal government. They deserve no less.

Passage of this conference report will provide this full backing. It also maintains the authority of the Director of Central Intelligence to designate those CIA employees who qualify for this benefit.

Again, I thank the Members and staff of the House and Senate Intelligence committees for their hard work on this legislation, and I urge my colleagues to support the conference report.

Mr. GOSS. Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

The SPEAKER pro tempore (Mr. SIMPSON). Without objection, the previous question is ordered on the conference report.

There was no objection.

The conference report was agreed to. A motion to reconsider was laid on the table.

☐ 1215

GENERAL LEAVE

Mr. GOSS. Mr. Speaker, I ask unanimous consent that all Members may have legislative days in which to revise and extend their remarks on H.R. 2833, the conference report just passed. The SPEAKER pro tempore (Mr. SIMPSON). Is there objection to the request of the gentleman from Florida?

There was no objection.

PROVIDING FOR CONSIDERATION OF H.R. 3295, HELP AMERICA VOTE ACT OF 2001

Mr. REYNOLDS. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 311 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. Res. 311

Resolved, That upon the adoption of this resolution it shall be in order without intervening point of order to consider in the House the bill (H.R. 3295) to establish a program to provide funds to States to replace punch card voting systems, to establish the Election Assistance Commission to assist in the administration of Federal elections and to otherwise provide assistance with the administration of certain Federal election laws and programs, to establish minimum election administration standards
December 12, 2001

CONGRESSIONAL RECORD—HOUSE

H9255

for States and units of local government with responsibility for the administration of Federal elections, and for other purposes.

The bill shall be considered as read for amendment, and the amendment recommended by the Committee on House Administration now printed in the bill, modified by the amendment printed in the report of the Committee on Rules accompanying this resolution, shall be considered as adopted. The previous question shall be considered as ordered on the motion to recommit with or without instructions, without intervening motion except: (1) one hour of debate on the bill, as amended, to final passage without intervening motion except: (1) one hour of debate on the bill, as amended, to final passage without intervening motion except: (1) one hour of debate on the bill, as amended, to final passage without intervening motion except: (1) one hour of debate on the bill, as amended, to final passage without intervening motion except: (1) one hour of debate on the bill, as amended, to final passage without intervening motion except: (1) one hour of debate on the bill, as amended, to final passage without intervening motion except: (1) one hour of debate on the bill, as amended, to final passage without intervening motion except: (1) one hour of debate on the bill, as amended, to final passage without intervening motion except: (1) one hour of debate on the bill, as amended, to final passage without intervening motion except: (1) one hour of debate on the bill, as amended, to final passage without intervening motion except: (1) one hour of debate on the bill, as amended, to final passage without intervening motion except: (1) one hour of debate on the bill, as amended, to final passage without intervening motion except: (1) one hour of debate on the bill, as amended, to final passage without intervening motion except: (1) one hour of debate on the bill, as amended, to final passage without intervening motion except: (1) one hour of debate on the bill, as amended, to final passage without intervening motion except: (1) one hour of debate on the bill, as amended, to final passage without intervening motion except: (1) one hour of debate on the bill, as amended, to final passage without intervening motion except: (1) one hour of debate on the bill, as amended, to final passage without intervening motion except: (1) one hour of debate on the bill, as amended, to final passage without intervening motion except: (1) one hour of debate on the bill, as amended, to final passage without intervening motion except: (1) one hour of debate on the bill, as amended, to final passage without intervening motion except: (1) one hour of debate on the bill, as amended, to final passage without intervening motion except: (1) one hour of debate on the bill, as amended, to final passage without intervening motion except: (1) one hour of debate on the bill, as amended, to final passage without intervening motion except: (1) one hour of debate on the bill, as amended, to final passage without intervening motion except: (1) one hour of debate on the bill, as amended, to final passage without intervening motion except: (1) one hour of debate on the bill, as amended, to final passage without intervening motion except: (1) one hour of debate on the bill, as amended, to final passage without intervening motion except: (1) one hour of debate on the bill, as amended, to final passage without intervening motion except: (1) one hour of debate on the bill, as amended, to final passage without intervening motion except: (1) one hour of debate on the bill, as amended, to final passage without...
Mr. SHIMKUS. Mr. Speaker, I rise today in support of this rule. This is great work done by the ranking member and the chairman. I want to point out one provision in this that I really am appreciative of, which is a self-executing provision in this rule that does address the disabled community, especially the blind and the visually impaired at the voting booth.

Everyone should have a right to cast a truly secret ballot. Unfortunately, with current voting methods, the visually impaired cannot rely on others to help them cast their votes. New voting technologies can enable the blind to complete their own ballots without assistance. The language included in this bill requires nonvisual access to be an essential component of any new voting machines designed for Federal elections. It also provides financial assistance to help local election officials pay for the cost of these machines.

I know the election officials in downstate Illinois have been doing a great job in ensuring that elections are run smoothly and that everyone who wants to vote is given the chance to do so. I am pleased that this amendment helps make voting easier for the visually impaired voters.

Mr. Speaker, I would like to thank my colleagues, the gentleman from Illinois (Mr. DAVIS), the gentleman from Maryland (Mr. EHRLICH), along with the Ranking Member HOYER and Chairman NEY for working on this issue and helping to get this provision included in this bill.

Mr. Speaker, I submit for the RECORD a letter from the National Federation of the Blind supporting this bill.

NATIONAL FEDERATION
OF THE BLIND

Hon. ROBERT NEY,
Chairman, Committee on House Administration,
U.S. House of Representatives, Washington, DC.

Dear Mr. Speaker: I am writing to express the support of the National Federation of the Blind for the Help America Vote Act of 2001 (H.R. 3295), including language we requested to address the needs of people who are blind. Thanks to your efforts and understanding, this legislation points the way for blind people to vote privately and independently.

While the 2000 election demonstrated significant problems with our electoral system, consensus regarding the solution has been much more difficult to find. Nonetheless, it is clear that installation of up-to-date technology will occur throughout the United States. This means that voting technology will change, and devices purchased now will set the pattern for decades to come. Therefore, requirements for nonvisual access must be an essential component of the new design.

With more than 50,000 members, representing every state, the District of Columbia, and Puerto Rico, the NFB is the largest organization of blind people in the United States. We know about blindness from our own experience. The right to vote and cast a truly secret ballot is one of our highest priorities, and modern technology can meet both.

For that reason, we support any legislation that will accomplish this objective. Thank you for your assistance in addressing this concern as part of the Help America Vote Act of 2001.

Sincerely,

JAMES GASHEL,
Director of Governmental Affairs.

Mr. FROST. Mr. Speaker, I yield 6 minutes to the gentleman from Florida (Mr. HASTINGS), a member of the Committee on Rules.

Mr. HASTINGS of Florida. Mr. Speaker, I thank my good friend and colleague, the gentleman from Texas (Mr. FROST), for yielding me this time and for his distinguished leadership on this particular subject, and also my good friend, the gentleman from New York (Mr. REYNOLDS).

All the members of the Committee on Rules heard me last night speak very passionately, moved by the fact that now we have a year that has passed and we still have not undertaken what I believe to be what the American people want in the way of ensuring that we have free, fair, and transparent elections.

Before I get into the meat of my remarks, I want to share a vignette with everybody here. In 1974, in Florida, I ran for the Public Service Commission, and I lost that election by 2 percentage points. When I got home that night, my mother said to me, “Something is wrong.” My comment to her was, “Mom, there can’t be anything wrong with this election.” I was kind of upset, I had lost. I said “There can’t be anything wrong because we have this new punch card system.”

Well, now, 30-plus years have passed since that election, and the fact of the matter is that she has said to me, at times when we have spoken privately, that she thought something was wrong. And now I can say to you, “Mom, you were right, something was wrong all that time.”

Mr. Speaker, I would like to think that when I speak on the floor, my words are eloquent and my thoughts are well expressed. But now is not the time for eloquence. Quite frankly, this rule just stinks. More than 13 months have passed since last year’s debacle of an election. Now, when the House finally considers election reform legislation, the Republican leadership is eliminating the option of debate. The only word that I can use to describe this irresponsible act of poor leadership is shameful.

During last night’s hearing in the Committee on Rules, more than 20 amendments were offered by Members on both sides of the aisle. I offered four amendments that would have fixed some of the problems that I believe currently exist in the bill.

My amendments would have required that every polling place in the country be fully accessible to people with disabilities and somebody who I tell me why we cannot accomplish that. They would have taken significant steps, my amendments, towards halting the illegal purging of voters’ names, provided for the immediate restoration of former felons’ rights to vote; and, finally, ensure that all Americans be given the right to cast a provisional ballot in the case their name does not appear on the list of eligible voters.

Mr. Speaker, I will never hear debate on these amendments, nor the more than 16 others, because the rule that the Republican leadership has reported is closed. Not one amendment that was offered last night will be permitted to be debated today. Granted, I do not agree with all of the amendments that were offered last night. In fact, I am quite opposed to some of them. However, if the House is going to consider an issue as important as the integrity of the American election system, I think that it should be open for debate. I believe that, and I believe the American people do also.

Where has the leadership been on this issue? From the looks of this rule, we can call it where the other side of the aisle have been. But what about the administration, the primary beneficiary of last year’s sham of an election? The answer is we just do not know.

I asked the gentleman from Ohio (Mr. NEY) what is the position of the administration. To date, the administration has not even issued a statement on the Ney-Hoyer bill that is being considered.

Mr. Speaker, I realize I applaud the work of the gentleman from Ohio (Mr. NEY) and the gentleman from Maryland (Mr. HOYER) on the work that they have done on this bill; and so should the rest of this body, and we should thank the gentleman from Michigan (Mr. CONYERS) and the gentlewoman from California (Ms. WATERs) for helping to improve this measure.

Under the constraints that were placed on the gentleman from Ohio (Mr. NEY) and the gentleman from Maryland (Mr. HOYER), I do not think that we could have gotten a better bill. I am nonetheless astonished while we know what problems exist, and all of us know how to remedy them, I was astonished by the unwillingness of the Republican leadership to act on a bill that actually fixes all of the problems that exist in our country’s broken election system, and it baffles me beyond comprehension that we are not doing it.

If the underlying bill is the best that we can do, then it is not good enough. If we are to define our democracy by the rights we guarantee to our citizens and the methods by which we choose our leaders, then we must never find ourselves denying these rights or questioning the results of our methods.

Mr. Speaker, few issues in this country ignite the tempers of the American citizenry as much as election reform. In the past year, many of us traveled across the country to hear voters speaking about the problems that they faced during last year’s election. From these hearings and meetings, we have
garnered a general understanding that the problems we saw in Florida last year are not unique to Florida. On the contrary, the travesty that the Flor- ida’s voters faced last November is merely a representative sample of the problems voters faced throughout the United States. Civil rights violations, lack of provisional ballots, increasing amounts of overvotes and undervotes, uneducated voters and poll workers, outdated voting machines, the purging of eligible voters, confusing ballots, lack of accessibility, and not enough funding for States to improve their voting technology, are not problems that are unique to Florida.

The Ney-Hoyer bill fixes many of these problems, but at the same time it fails to mandate that others be ad- dressed. Today, Members are faced with a difficult question: Do we allow the perfect to be the enemy of the good, or do we approve a bill that does not fix all of the problems that we know exist in our election system to date? This rule is not, in my view, just irresponsible and shameful; but it is an insult to this body, the American people and the integrity of our democracy. I urge my colleagues to oppose this bill and the rule that implements it, (Mr. GEKAS).

Mr. Speaker, I yield 2 minutes to the gentleman from Penn- sylvania (Mr. GEKAS). (Mr. GEKAS asked and was given permission to revise and extend his re- marks, and include extraneous mate- rial.)

Mr. GEKAS. Mr. Speaker, I thank the gentleman for yielding me this time.

Mr. Speaker, I rise to support the rule at hand and the bill that follows; but I must place into the RECORD my concern that the entire process did not go far enough with respect to election reform, and that has to do with the rampant number of complaints that every one of us received about the failings of the motor voter law. This bill and the rule that implements it, actually specifically states that the motor voter law that we passed in 1993 will remain practically inviolate. Yet the horror stories we have heard de- mands our attention to motor voter.

In that regard, I fashioned a Motor Voter Reform Task Force in my dis- trict which made certain findings and recommendations. The findings to which my attention are very serious. Number one, there was a large number, not just in my district but in other districts as well, of people who were not American citizens who, by virtue of motor voter flaws, were able to cast votes. That is unacceptable. That dilutes the votes of people who are American citizens who are reg- istered to vote. We must do something about that. Our task force has rec- ommendations as to that, and this bill does not cover that particular situa- tion.

Insofar as the bill goes to deter- mining and helping States determine eligibility of voters to allow culling of votes to bring them up to date every couple of years, the bill goes along the same line of reasoning. I hope in some future time that Congress tackles revision of motor voter, updating motor voter in a time and a place where we can look at what is possible. The flaw is that everyone has discovered.

Mr. Speaker, I include for the RECORD the report of my Motor Voter Reform Task Force.

INTRODUCTION
The Motor Voter Reform Task Force was created in May of 2001, by Congressman Gekas of the 17th Congressional District to investigate the effects of the National Voter Registra- tion Act of 1993. In June, the Task Force visited the five county Election Offices and also spoke to Jury Commissioners in the five counties in the Congressman’s district and met with Pennsylvania’s Secretary of State, Sharron Collins and the Pennsylvania State House. The Task Force has also researched data concerning elections at the local, State and National levels.

Although the Motor Voter Law of 1993 did make voter registration easier, it failed in its stated goals, it has incurred great cost to the American people maintaining the voter registration rolls more difficult, and it has facilitated voter fraud. We, the Motor Voter Reform Task Force, believe the Motor Voter Law must be re- formed to stop the current strains on our electoral system.

PROBLEM SPECIFICS

The Motor Voter Law, officially known as the National Voter Registration Act of 1993, allowed a potential voter to register while applying for, or renewing, a driver’s license. Motor Voter Has Caused Flawed Registration Rolls

While this Act made it easier to register to vote, it simultaneously made it much more difficult for election officials to remove inac- tive voters from the rolls.

Under the Motor Voter Act, all registered voters who have not had any activity (have not voted, changed address, changed name) for five years will be requested to respond and/or re-register. If the reg- istered voter responds to the notice, they are coded “inactive” and remain on the rolls. If they do not respond, or if the Notice is un- deliverable, they are coded as “inactive” and remain on the rolls until two more Federal elections have passed without any activity. Any registered voter who has been coded as inactive remains on the rolls, with no voting rights, or ability to vote. Further- more, any registered voter who has been coded as “inactive” and who is not a citizen, or who is not a citizen, will be deemed a non-citizen.

The Affirmation of Elector will activate the Affirmation of Elector. The Affirmation of Elector will activate the registration by verifying address infor- mation.

In addition, once every calendar year, counties are required by the Law to do either a mass mailing, or a cross-referencing with the U.S. Postal Service’s National Change of Address Listing. This is a national list of residents by name and address in the country. Any address discrepancy between the county’s address list and the National Change of Address Listing will trigger a notice to be mailed to the registered voter in ques- tion. Mass mailings are extremely expensive and result in many numbers of deliv- ers. The National Change of Address Listing compiled by the U.S. Postal Service is less expensive, but also costs counties several thousand dollars to purchase. Some consideration should be given to making this list available to counties at either no cost or at a minimal cost.

All told, it may take up to nine years for an inactive voter to be removed from the registration rolls. This causes-lypoically, this minimum information is often insufficient in determining a registrant’s eligibility. Because proof of identity and citizenship is not required when registering to vote, it is possible for resident aliens (i.e., non-citizens) to vote in our elec- tions. There were several reported incidents in the 17th congressional district where non-citizens were registered to vote. This means that the fundamental right of legitimate Americans to vote and the quality of our electoral system is being undermined. It is alarming to think that American citizens may be letting fraudulent voters decide the outcome of their local, State and Federal elections.

Just as alarming is the fact that voter reg- istration rolls are used across America as a source for selecting jurors. It is very possible in each county that there are people called for jury duty and have served. It was also discovered in conversation with Jury Com- missioners in the 17th Congressional District that, indeed, jurors had been called who had registered to vote through Motor Voter, but were not citizens of the U.S.A. We must con- sider the possible serious consequences if a juror is discovered to be inviolate. If a non-citizen juror was undetected, the defendant’s right to a jury of peers would be debased.

Evidence of Fraud

During the 2000 Presidential Election, the national media reported numerous cases of voter fraud. The shortcomings of Motor Voter are the reason behind several notable failings of our electoral system.

Examples of these shortcomings are vivid and well-documented: A dog was registered to vote in St. Louis, Missouri, deceased indi- viduals registered and voted, nonexistent in- dividuals registered and addresses used to register. Eighteen munici- palities in Allegheny County, Pennsyl- vania, reported a registry larger than the voting-age population. Clerical errors caused legitimate, eligible voters to be taken off registration rolls and/or listed in the wrong county.

Costs of the Motor Voter System

The Motor Voter Act has caused massive expense to the States. In fact, the act has caused an estimated $45 million in costs. Furthermore, the act was an unfunded Federal mandate, so all expenses incurred were passed on to the States and counties. The extra costs have accrued in three basic areas: equip- ment, postage, and staff.

Equipment: The States have had to up- grade or install new technology at their re- presentive departments of motor Vehicles to comply with the Motor Voter Law. Simulta- neously, counties have had to upgrade or in- stall new technology, provide additional personnel, purchase extra voting ma- chines or booths andballoting materials, as State laws often requires the number of polls and equipment to be in a certain proportion to the registered voters. According to the Pennsylvania state law requires one voting machine per 600 registered voters.
Postage: The Act required municipalities to send confirmation mailings to remove inactive voters from the registration rolls. Simultaneously, Motor Voter registrations are often inaccurate or incomplete. Thus, election officials must frequently send mailings and make countless telephone calls in order to recollect information from people who registered through Motor Voter.

Staff: Additional election staff is now required at the State and county levels due to the increased numbers of mailings, polling machines, and polling locations.

Motor Voter Has Done Little to Increase Voter Turnout

While Motor Voter has increased the number of registered voters, it had done little to increase actual voter turnout.

Appendices A and B contain information taken from the Federal Elections Commission web site. Since voter turnout is traditionally better during a Presidential Election year, it is necessary to compare sets of figures with the same number of Presidential Elections. Hence, both tables contain voter enumerations from three Federal elections, with each table containing one Presidential Election.

Appendix A comprises three years before Motor Voter was enacted and Appendix B spans three subsequent years after the Motor Voter Law was passed.

The difference between the two sets of elections is a mere 0.3% increase in voter turnout. The enormous costs of the Motor Voter system is hardly worth this questionable increase. Seven years after this Act became law, we have learned from experience that voter registration is not the impetus to low voter turnout. In fact, statistics published by the Federal Elections Commission shows that voter turnout has remained fairly constant since 1972. The bloated registration rolls have made it very difficult to accurately report voting statistics. Percentages of voting seem lower because registration is inflated. In reality, as stated above, voter turnout has remained about the same since 1972. The inaccurate interpretation of the statistics which are being reported may be adding to voter apathy and having an adverse effect on voter turnout.

For an example, in Congressman Gekas’s district, we can look to Lancaster County’s swelling registration rolls which have not produced increased voter turnout. If we compare the number of Motor Voter registrations in Lancaster County to the number who actually vote, a significant difference is observed. (Appendix C)

SUMMARY OF FAILINGS

The Motor Voter Law has four intended purposes, as per section b:

(1) To establish procedures that will increase the number of eligible citizens who register to vote in elections for Federal office;

(2) to make it possible for Federal, State, and local governments to implement this Act in a manner that enhances the participation of eligible citizens as voters in elections for Federal office;

(3) to protect the integrity of the electoral process; and

(4) to ensure that accurate and current voter registration rolls are maintained.

Contrary to its stated purposes: ineligible citizens have registered to vote, the Federal government has imposed the expense of the new system, the integrity of the electoral process has been compromised, and the Law had made it more difficult to purge inactive voters from the rolls. As a result, rolls are neither accurate nor current.

In short, the Motor Voter Law has failed in all four of its intended purposes.

RECOMMENDATIONS

Because the States and counties have invested a great deal of money in the Motor Voter system, it would be irrational and wasteful to repeal the Law. Therefore, the Motor Voter Law must be amended if its various flaws are to be corrected. The Task Force has conceived of nine recommendations for amending the Motor Voter Law.

(Recommendation 1) Provide Monetary Compensation to States and Counties

Since the Motor Voter Law was enacted, there has been a great deal of expense incurred by the States and counties in meeting the Law’s requirements. Most of the expenditures were for equipment, postage, and staff. We believe Federal mandates should have Federal funding; it seems appropriate that the Federal government should compensate the states and counties for the overhead the Motor Voter Law created. Additionally, a special reduced postage rate for the official use of State and County Election Boards must be considered.

(Recommendation 2) Mandate Information Sharing between Bureaus to Keep Rolls Accurate

Unless election officials have access to information that disqualifies ineligible voters, these individuals will remain on the rolls. For that reason, we suggest the Immigration and Naturalization Service inform the counties about the citizenship status of registrants, if requested. We also suggest that the each Bureau of Vital Statistics share information with the counties regarding: deaths, marriages, felons, and changes of name, and that State cooperate with each other in order to prevent duplicate or multiple registrations by an individual in multiple States or municipalities in any one state. The U.S. Postal Service should also be a source for National Address Verification. The sharing of information between these Agencies and Bureaus and between States, in particular those states which maintain a central Voter Registry, and counties will allow election officials to maintain much more accurate registration rolls.

(Recommendation 3) Require Counties to Immediately Remove Ineligible Voters

Upon receipt of disqualifying information from a Bureau or Agency, county officials should be required to immediately remove an ineligible voter from the registry, regardless of their activity status.

(Recommendation 4) Rolls Should Be Purged of Inactive Voters More Frequently

We recommend automatically removing any voter that should fail to vote in two consecutive Federal elections. Not only would this keep the rolls current and accurate, but it would completely eliminate the cost of sending confirmation mailings. Further, it should implement the job of office holders and candidates running for office to target their constituents more effectively.

(Recommendation 5) Require Proof of Citizenship upon Registering to Vote

Proof of citizenship should be required of everyone upon registering or re-registering to vote. A signed attestation or a check box will not do, as many resident aliens may misunderstand the meaning of the word “citizen.” There is also the very real possibility that many non-citizens may be taking advantage of the very lax system of voter registration which is now in place. Acceptable forms of proof would be: a passport, a birth certificate, or a naturalization document.

There must also be a system in place to make certain that everyone who registers to vote is indeed a real and living human being residing at an actual address in the county and state where they are registering.

(Recommendation 6) Voter Identification Number

A Voter Identification Card with an assigned Voter ID Number, a photo, and a digitized signature for every registered voter could be sent to County Election Boards to be kept in the voter registration roll books used by each county at each polling place. There must be a system in place to protect the confidential nature of these numbers. Otherwise, their purpose would be defeated.

The Voter ID Number should be available only to Election Officials and the voter to whom the number is issued.

(Recommendation 7) Require Better Checks at the Polls

In addition to preventing registration fraud, better checks must be in order to prevent it at the polls as well. To keep anyone from voting under another person's name, there need to be better identity checks at the polls. A signature and presentation of a photo ID should be required of all voters. This should then be compared to the Voter ID Card in the county’s roll book.

(Recommendation 8) Verification of Absentee Ballot Applications and Absentee Ballots

There must be a better system in place for verifying the authenticity of the Absentee Ballot Applications and Absentee Ballots.

(Recommendation 9) Personnel Training

All personnel mandated and responsible for registering voters as provided by the National Voter Registration Act of 1993, must receive comprehensive and intensive training in an attempt to prevent inaccurate, incomplete or fraudulent applications for voter registration.

RESPECTFULLY SUBMITTED

In conclusion, it is with sincere thanks to Congressman Gekas for his concern to insure a voting system with the utmost integrity, that we submit our findings and recommendations.
Mr. FROST. Mr. Speaker, I yield 3 minutes to the gentleman from Maryland (Mr. HOYER).

Mr. HOYER. Mr. Speaker, we arrive at a point where we think we will be considering the election reform bill, the Help America Vote Act. I believe this bill is one of the most important bills that we will vote on and pass this year. I am disappointed that the rule did not allow a substitute to be offered. I asked for that in the Committee on Rules. I urged that that be allowed.

Frankly, if the gentleman from Michigan (Mr. CONYERS), who is the sponsor of a very significant bill that is pending in the House Committee on the Judiciary, had wanted to offer his substitute, I would have been even more amadan.

Having said that, I want to see this bill move forward. I regret this rule did not allow a substitute, but I believe it is important that we pass this bill and pass it today. It provides, as I will say in the general debate later today, very substantial resources for States to get us to a point where votes will not only be cast, but will be accurately counted; where votes will be counted, having made sure that every American was able to cast their vote properly; that state-wide registration would make sure that we knew who was registered; that provisional ballots would make sure that, even if we made a mistake in the system, that people would be allowed to vote; where, if the technology allows in 2002, citizens will be told they have a mistake, and if they want to change it, they have an opportunity to do so.

This bill brings some very significant reforms. It answers many of the questions raised by last year’s extraordinarily difficult election. So although I am very deeply distressed, as expressed by the gentleman from Florida (Mr. HASTINGS), that we did not have the ability to offer a substitute, I know that the gentleman from New Jersey (Mr. MENENDEZ) and the gentlewoman from Texas (Ms. EDDIE BERNICE JOHN- son) will be offering a motion to recommit.

If we pass this rule, I will speak strongly on behalf of this bill and hope to see its passage. The reason that I say that I think it should pass today, I am hopeful that the earliest possible date to both appropriate funds for the funding of the reforms, doing away with the punch cards, upgrading technology, educating voters, educating and training election officials, all to enhance the election process for our citizens, I am hopeful that we can do this as quickly as possible so that 2002 and certainly 2004 will not be a repeat of 2000. That election in 2000 ended 37 days after it began. It ended on this day exactly 1 year ago. It is appropriate that we act today.

Mr. Speaker, I could not agree more with the Committee on House Administration. We need to act today. This is not an election bill. It has the bipartisan support of a bill. It has the bipartisan support of this institution, the very heart of our Nation.

The reality, as I opened my remarks, is maybe the best way to get a bipartisan result of what started with hearings months ago and came with bipartisan input, bipartisan sponsorship, bipartisan passage in the Committee on House Administration and now before the House under this rule if passed, is the best way to have bipartisanism to move forward on a bipartisan bill without trying to leverage it up from either side of the aisle.

Mr. Speaker, I reserve the balance of my time.

Mr. FROST. Mr. Speaker, I yield 2 minutes to the gentleman from New Jersey Mr. MENENDEZ.

(Mr. MENENDEZ asked and was given permission to revise and extend his remarks.)

Mr. MENENDEZ. Mr. Speaker, I rise in opposition to the rule because of my belief in one of our core principles, which is “one person, one vote.” And it is that simple, but grand, principle we are here to protect. And to limit the debate on election reform which is the foundation of the democracy for which we hold the lives of our young men and women abroad with a closed rule is outrageous. That is why the debate here today goes to the very heart of this institution, the very heart of our democracy, the very heart of our Nation, because we have a solemn responsibility to ensure that every American is given a full and equal access to vote.

The bill before us takes a good step in that direction; but I believe it should go further, and that is why I introduced an amendment in the Committee on Rules with the gentlewoman from Texas (Ms. EDDIE BERNICE JOHN- son) and others to clarify and expand the bill’s provisions on full access for disabled voters, civil rights protections, multilingual ballots and materials, Federal enforcement of standards, guarantees for provisional voting and preservation of the Motor Voter Act.

Mr. Speaker, 14 million disabled vot- ers cannot vote in secret. At the beginning of the 21st century, that is an outrage. The bill does not guarantee that that will change; my amendment would.
H9260
CONGRESSIONAL RECORD — HOUSE December 12, 2001

Mr. REYNOLDS. Mr. Speaker, I yield 1 minute to the gentlewoman from Indiana (Ms. CARSON).

Ms. CARSON of Indiana. Mr. Speaker, I thank the two gentlemen who today, Mr. Speaker, that we saw a conclusion to the most historic election in our Nation's history for President. If we have learned anything in the past year, it is that democracy is a work in progress.

A year ago this month, I had the opportunity to join with a number of other Americans in representing this country at the inauguration of President Vicente Fox in Mexico. It was the first time in 71 years that the ruling Institutional Revolutionary Party had, in fact, been defeated in a presidential election. I was an observer of that election on July 2 of last year. We as Americans were there in behalf of the International Republican Institute, an arm of the National Endowment for Democracy which President Reagan established in 1985, to talk about how to hold elections and how to encourage democracy and to observe that process a year ago this past July. I will say that to then go into our election process here at home and see former Secretary of State James Baker, with whom I stood checking the validity of ballots in the hills, above Pueblo, Mexico, doing the same thing in Florida following our presidential election, was clear evidence that democracy is a work in progress.

We also, over the past year, have had at least a couple of other experiences showing us that. Ten years ago in Nicaragua, we were able to bring about a free election, and it saw the removal of the Communist dictator, Daniel Ortega. Many of us who during the 1980s spent a lot of time encouraging the process of democracy and free and fair elections there had a rather rude awakening this year when this summer we found that the prospect of making changes that could have undermined the opportunity for voters to partici-

pate in Nicaragua was a serious one. I am happy to say that the International Republican Institute and other organizations played a role in encouraging voter registration and moving towards literacy, clearly a chance that even though we saw an election a decade ago, it had to be closely monitored.

Of course, the attention of the world is focused on Afghanistan. Again, a decade ago, we saw the liberation of the people of Afghanistan from the Soviet Union. Many of us, after having spent a great deal of time focused on the problems in Afghanistan, chose to put our attention elsewhere.

And so I think that this legislation is a demonstration that we as Americans understand that democracy is a work in progress. That is why I congratulate my colleagues on the Committee on House Administration for coming up with what I said, truly a very bipartisan bill.

Passage of this rule, Mr. Speaker, will ensure that there is language to deal with the issue that the gentleman from New Jersey just raised, and that is literacy, clearly the doing to the polls. We have seen organizations like the National Council on the Blind come forward and indicate their willingness to be supportive of this measure. We also acknowledge that there are disenfranchised voters in this country, and we are strongly committed, again in a bipartisan way, to ensuring that, in fact, we will see an opportunity for everyone who wants to have the right to vote and access to the voting booth. It is just a first step, though. That is why I keep referring to this work in progress. We know that there are going changes that will be further proposed in the future. I know that under the leadership of the gentleman from Ohio (Mr. Ney) and the gentleman from Maryland (Mr. HOYER) on the Committee on House Administration, there will be further efforts to look at this. But as was pointed out by the gentleman from Maryland (Mr. HOYER) in his testimony before the Committee on Rules last night for the first time ever, the Federal Government is stepping up to the plate and providing $2.65 billion in assistance to the States for Federal election, and that is what this amendment to the rule, I believe, that this amendment to the rule does. And so I think that this legislation will ensure that democracy is restored and that is what this amendment to the rule does. And so I think that this legislation will ensure that democracy does indeed work.

Mr. REYNOLDS. Mr. Speaker, I reserve the balance of my time.

Mr. FROST. Mr. Speaker, I yield 2 minutes to the gentleman from Illinois (Mr. DAVIS).

Mr. DAVIS of Illinois. Mr. Speaker, I thank the gentleman for yielding me
this time. I also want to commend Chairman NEY and Ranking Member HOYER for the development of this legislation, but I rise in strong opposition to this rule. I do not rise because it is a bipartisan bill, I do not rise because it has a large number of supporters, but I rise in opposition to this rule because it is a contradiction to democracy. It is a contradiction to the whole purpose of voting.

Voting is a way of expressing oneself, of expressing one’s ideas, thoughts and opinions. This denies them the opportunity. It is closed. I had offered an amendment that I wanted to offer last night in the Committee on Rules that would deal with the whole question of intimidation, of fraud, by making sure that States had some mechanism in place to deal with that. All of my life I have heard of intimidation and fraud in elections in communities where I have lived and worked. I have never seen anything really done about it. This is just a great opportunity. It does not exist. For that reason, I urge that we vote down this rule and come back with an open rule that gives people the opportunity to really express what democracy and voting is all about.

Mr. FROST. Mr. Speaker, I yield 1½ minutes to the gentlewoman from California (Ms. SANCHEZ).

Ms. SANCHEZ. Mr. Speaker, I thank my good colleague from Texas for yielding time to me.

H.R. 3295 does not provide the comprehensive reform that this Nation’s election system needs. While this bill does attempt to establish minimum standards for voting machines, it does not go far enough. The Federal Government should have the ability to take action against States that fail to meet minimum standards and it is not possible under this bill. The bill has no mandatory access to machines for individual cities. Citizens who have language barriers or physical disabilities should not have added difficulties when they go to vote.

Current law requires some jurisdictions with language minority groups to provide bilingual assistance in each step of the voting process. However, this law has been poorly enforced and it certainly is not strengthened by this bill. In addition, this bill does not specifically require assistance for elderly voters or for voters with disabilities. Polling places should allow people to exercise their right to vote, regardless of their disability.

Lastly, election reform must also ensure that sample ballots are distributed that educate voters and that polling workers are adequately trained to assist the voter. A better informed electorate will be able to make better decisions when voting for their elected officials. Although H.R. 3295 authorizes the use of funds for voter education, it does not require consideration for that.

There is one thing I know. Democracy is stronger when more Americans vote. H.R. 3295 is well-intentioned, but it is not the solution to our Nation’s needs.

Mr. REYNOLDS. Mr. Speaker, I yield myself such time as I may consume.

This legislation authorizes $2.65 billion for Federal election reform, including $600 million to buy out unreliable punch card voting systems that was brought out in this rule debate earlier, and $2.35 billion in election foundation to improve equipment, recruit and train poll workers, improve access for disabled voters, and educate voters about elections.

The Help America Vote Act would require States to adopt minimum election standards, including a statewide voter registration system, in-precinct provisional voting, assurances that voters who make errors will be able to correct them, and a means for disabled voters to cast secret ballots on new voting equipment. The bill is real, meaningful reform that will significantly improve our election system and restore public confidence in it.

I just want to outline that this bill is a bipartisan bill. It is not a magic elixir for the problems that plagued us last November, but it prescribes the right medicine for our ailing election system and restores public confidence in it.

I still have offered, had it been allowed, a bipartisan bill, I do not rise because this is a contradiction to democracy. It is a contradiction to the whole purpose of voting.

Mr. REYNOLDS. Mr. Speaker, I reserve the balance of my time.

Mr. FROST. Mr. Speaker, I yield 2 minutes to the gentlewoman from Connecticut (Ms. DELAUR). Ms. DELAUR. Mr. Speaker, the right to vote is the cornerstone of our democracy. It is the most fundamental and most essential expression of citizenship. When that right is put into doubt, when citizens cannot know that a ballot cast is a ballot counted and that their votes count, it undermines confidence in our entire political system, as well as the government formed on a foundation of those ballots. People must have confidence that their votes count.

Last year’s Presidential election shook that confidence to the core. And while the Ney-Hoyer bill is a first step toward reforming that system, the substitute that my colleagues and I would have offered, had it been allowed, would have vastly improved on the underlying bill. It would have required that all voting systems and polling places be accessible to disabled and blind voters and that alternative language accessibility be provided for citizens with limited English proficiency.

To accurately record the voter’s intent, the amendment would have required that all voting systems notify voters of over- and undervotes, verify the vote, and provide the opportunity to correct the ballot before it was cast. It would have addressed the most error-ridden technology, is often found in the poorest communities.

Our amendment would have allowed voters to be purged from the voter rolls in a way that is consistent with the motor voter law. It required that provisional voting be available for voters whose names have been mistakenly removed from the voter rolls.

Finally, it ensured that these measures are fairly and strictly enforced, by requiring the Secretary of State to verify State certification and to enforce the minimum standards. Right now in cities and towns across the
country, it remains more difficult to go to the polls to cast your vote than it is to make a simple withdrawal from an ATM; and there is something very, very wrong with that.

The right to vote is the basic foundation of American citizenship. We need to ensure that every American citizen has access to polling places, is able to cast a secret ballot, and is sure that his or her vote has been accurately counted. This issue is too important to merit anything less than a full and open debate.

Mr. FROST. Mr. Speaker, I yield 1 minute to the gentlewoman from Missouri (Ms. MCCARTHY). (Ms. MCCARTHY of Missouri asked and was given permission to revise and extend her remarks.)

Ms. MCCARTHY of Missouri. Mr. Speaker, I rise in strong support of H.R. 3296, the Help America Vote Act of 2001. I applaud the diligent efforts of my colleagues, the gentleman from Ohio (Mr. NEY) and the gentleman from Maryland (Mr. HOYER), and others in this great effort. It is a very important final step in correcting the mistakes made in our election system that were highlighted in the aftermath of the 2000 election.

While many minority groups such as the NAACP and the Council of La Raza and senior groups have contacted me expressing concerns that the bill might not go far enough, I have seen firsthand the challenges inadequately equipped polling places and poorly trained poll workers pose to their constituencies.

This measure will go far in assuring everyone’s right to access to a vote. I pledge to work with my colleagues in moving forward with this legislation and in future efforts to ensure that no votes are left uncounted.

Mr. HASTINGS of Florida. Mr. Speaker, I yield back the balance of my time.

Mr. REYNOLDS. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, in closing, one of my Democratic colleagues as we voted on this in the Committee on House Administration and I believe it upholds the cooperative bipartisan effort behind this legislation. I urge support of it and the rule.

Mr. HASTINGS of Florida. Mr. Speaker, I yield back the balance of my time.

Mr. REYNOLDS. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, in closing, one of my Democratic colleagues as we voted on this in the Committee on House Administration and I believe it upholds the cooperative bipartisan effort behind this legislation. I urge support of it and the rule.

Mr. GEKAS. Mr. Speaker, I rise today to express my support for the rule and the bill on election reform, H.R. 3295, brought forward by the Chairman and Ranking Member of the House Administration Committee, Representatives Ney and Hoyer.

Mr. Speaker, it is clear that local jurisdictions across America have voter registration rolls that are incomplete and grossly inaccurate. The Ney-Hoyer bill offers some real solutions. A $2.25 billion election assistance grant program will help States and localities invest in real solutions for their election system and voter registration problems. Further, the bill mandates statewide voter registration databases to enhance accountability and promote accuracy in voter registration. Pennsylvania and Maryland are leading the way in implementing a statewide registration database that conforms with the requirements of Ney-Hoyer.

Unfortunately, the Ney-Hoyer bill does not attack the problems associated with the Motor Voter Act (MVA) head on. The bill reaffirms the law and attempts to clarify some of its language regarding the vouching of registered voters. However, I believe Congress must reopen the MVA at some point, and I am committed to making that happen.

I am supporting this important legislation as it reflects many of a Pennsylvania 17th Congressional District Motor Voter Task Force I initiated in the spring of this year. After the last Presidential election, numerous concerns were raised by local election officials, elected representatives and citizens of central Pennsylvania. These concerns focused on the failure of the Motor Voter Act.

I believe that H.R. 3295 goes a long way toward addressing some of the most essential concerns raised in my District. While it is not the final answer, it is a good first step. I will vote for this legislation, but I will vigilantly monitor its implementation to ensure that it does indeed help improve the situation. Moreover, I will work to make sure Congress revisits the failings of the Motor Voter Act even more specifically in the future.

In May of this year I appointed three local leaders to a bipartisan task force to study the impact of the MVA on our federal elections. Louisa Gaughen, chairperson, Sue Helm and Leon Czikowsky—together with Task Force Coordinator Jordan Olshefsky—engaged in formal hearings, interviews with election officials and voters before drafting their report. The Task Force found that the law, “failed in its stated goals, that it incurred great cost to the American taxpayer, that it has made maintaining voter registration rolls more difficult, and it has facilitated voter fraud.” The MVA was touted as a mechanism for increasing voter registration and voter turnout. However, my task force found that, “while Motor Voter has increased the number of registered voters, it has done little to increase actual voter turnout.” Disturbingly, the task force found that registration increases that were reported to the public fact that non-citizens have been registered to vote. Not only does this undermine the integrity of our election system, it also has adverse effects on our judicial system. For example, all across America jurisdictions use voter registration rolls as a primary source for selecting jurors. A corrupted voter registration list means a corrupted juror pool list.

In fact, the MVA has led to vastly inaccurate and bloated registration rolls. As my task force put it, “while this Act made it easier to register to vote, it simultaneously made it much more difficult for election officials to remove inactive voters from the rolls.” Localities have interpreted the MVA in a way to prevent the expediency removal of names from registration rolls even in cases of death of a registrant because of seemingly contradictory language in the MVA which seems to prevent the removal of a registrant’s name upon failure to vote in consecutive federal elections. The Ney-Hoyer bill seeks to clarify this ambiguous language, but based on the recommendations of my task force, I feel Congress will soon have to take a stronger stand. Too many localities have vastly more registered voters than actual, legal voters residing in their jurisdictions. Regular purging of these rolls must happen in order to ensure the credibility of our election system. Ney-Hoyer helps, but we eventually may have to go farther.

Mr. Speaker, as I strongly support the rule, and I will vote for H.R. 3295. The Help America Vote Act of 2001 because we need to begin the process of election reform in this country. After an unprecedented election year of butterfly ballots, chads, and court challenges, we need to assure the American public that real, practical steps are being taken to ensure that the events of Fall 2000 are never repeated. Ney-Hoyer is a good foundation upon which to build. I ask unanimous consent that the following recommendations of my task force be added to the RECORD.

**MOTOR VOTER REFORM TASK FORCE COMMITTEE, COMMISSIONED BY CONGRESSMAN GEORGE W. GEKAS, REPORTED RECOMMENDATIONS, MONDAY, SEPTEMBER 17, 2001**

Because the states and counties have invested a great deal of money in the Motor Voter system, it would be irrational and wasteful to repeal it. However, the Motor Voter Law must be amended if its various flaws are to be corrected. The Task Force has conceived of nine recommendations (amending the Motor Voter Law) that could ensure that the states and counties for the overhead the MVA requires, the states and counties for the overhead the MVA requires. The following recommendations of my task force be added to the RECORD.

**Recommendation 1—Provide Monetary Compensation to States and Counties:** Since the Motor Voter Law was enacted, there has been a great deal of expense incurred by the States and counties in meeting the Law’s requirements. Most of the expenditures are due to additional equipment, postage, and staff. We believe Federal mandates should have Federal funding; it seems appropriate that the Federal government should compensate the states and counties for the overhead the Motor Voter Law created. Additionally, a special reduced postage rate for the official use of the state and County Election Boards must be considered.

**Recommendation 2—Mandate Information Sharing between Bureaus to Keep Rolls Accurate:** Unless election officials have access to information that disqualifies ineligible voters, these individuals will remain on the rolls. For that reason, we suggest the Immigration and Naturalization Service inform the counties about the citizenship status of registrants, if requested. We also suggest the Bureau of the Census to share information with the counties regarding: deaths, marriages, felonies, and changes of name, and that States cooperate with each other in order to provide the multiple registries by an individual in multiple States or municipalities in any one.
The previous question was ordered. The SPEAKER pro tempore (Mr. SIMPSON). The question is on the resolution.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. HASTINGS of Florida. Mr. Speaker, I object to the vote on the grounds that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER pro tempore. Evidently a quorum is not present.

The Sergeant at Arms will notify absent Members.

The vote was taken by electronic device, and there were—yeas 223, nays 193, not voting 17, as follows:

[Roll No. 487]

<table>
<thead>
<tr>
<th>Yeas</th>
<th>Nays</th>
<th>Not Voting</th>
</tr>
</thead>
<tbody>
<tr>
<td>223</td>
<td>193</td>
<td>17</td>
</tr>
</tbody>
</table>

The yeas appeared to have it.
ANNOUNCEMENT REGARDING PRO\- CEDURES AND DEADLINE FOR FILING AMENDMENTS TO H. R. 1542, INTERNET FREEDOM AND BROADBAND DEPLOYMENT ACT OF 2001
(Mr. DREIER Asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. DREIER. Mr. Speaker, this is an announcement that I think Members might be interested in.

Mr. Speaker, today a Dear Colleague letter is going to be sent to all Members informing them that the Committee on Rules is planning to meet this week to grant a rule which may limit the amendment process for H.R. 3295, the Internet Freedom and Broadband Deployment Act of 2001.

Any Member who wishes to offer an amendment should submit 55 copies of the amendment, one copy of a brief explanation of the amendment by 2 p.m. on Thursday. That is 24½ hours from now. That is December 13. It should be sent up to the Committee on Rules, H–312 in the Capitol.

Mr. Speaker, the bill, as our colleagues know, was reported favorably by the Committee on Energy and Commerce on May 24, and ordered reported, adversely, by the Committee on the Judiciary on June 18. Amendments should be drafted to the text of the bill as reported. Amendments should be sent up to the Committee on Energy and Commerce and the Committee on Rules.

Mr. Speaker, Members should use the Office of Legislative Counsel to ensure that their amendments are properly drafted, and should check with the Office of the Parliamentarian to be certain that their amendments comply with the rules of the House.

HELP AMERICA VOTE ACT OF 2001
Mr. NEY. Mr. Speaker, pursuant to House Resolution 311, I call up the bill (H.R. 3295) to establish a program to provide funds to States to replace punch card voting systems, to establish the Election Assistance Commission to assist in the administration of Federal elections and to otherwise provide assistance with the administration of certain Federal election laws and programs, to establish minimum election administration standards for States and units of local government with responsibility for the administration of Federal elections, and for other purposes.

The Clerk read the title of the bill. "The text of H.R. 3295 is as follows:

SEC. 1. Short title; table of contents. (a) SHORT TITLE—This Act may be cited as the "Help America Vote Act of 2001". (b) TABLE OF CONTENTS—The table of contents for this Act is as follows:

Sec. 1. Short title; table of contents.
TITLE I—PUNCH CARD VOTING MACHINES
Subtitle A—Replacement of Machines
Sec. 101. Establishment of program.
Sec. 102. Eligibility.
Sec. 103. Payment of funds.
Sec. 104. Audit and repayment of funds.
Sec. 105. Punch card voting system defined.
Subtitle B—Enhancing Performance of Machines
Sec. 111. Establishment of program.
Sec. 112. Eligibility.
Sec. 113. Amount of payment.
Sec. 114. Audit and repayment of funds.
Subtitle C—General Provisions
Sec. 121. Authorization of appropriations.
Sec. 122. Punch card voting system defined.
TITLE II—COMMISSION
Subtitle A—Establishment and General Organization
PART 1—ELECTION ASSISTANCE COMMISSION
Sec. 201. Establishment.
Sec. 203. Membership and appointment.
Sec. 204. Staff.
Sec. 205. Powers.
Sec. 206. Limitation on rulemaking authority.
Sec. 207. Authorization of appropriations.
PART 2—ELECTION ASSISTANCE COMMISSION STANDARDS BOARD AND BOARD OF ADVISORS
Sec. 211. Establishment.
Sec. 212. Duties.
Sec. 213. Membership of Standards Board.
Sec. 214. Membership of Board of Advisors.
Sec. 215. Powers of boards; no compensation for service.
Sec. 216. Standards for boards and members for purposes of claims against board.
Subtitle B—Voluntary Election Standards
Sec. 221. Development of voluntary election standards.
Sec. 222. Technical standards development committee.
Sec. 223. Process for adoption of voluntary standards.
Sec. 224. Certification and testing of voting systems.
Sec. 225. Dissemination of information.
Subtitle C—Election Assistance
PART 1—ELECTION FUND PAYMENTS TO STATES FOR VOTING SYSTEM IMPROVEMENTS
Sec. 231. Election fund payments to States for voting system improvements.
Sec. 232. Allocation of funds.
Sec. 233. Conditions for receipt of funds.
Sec. 234. Authorization of appropriations.
PART 2—GRANTS FOR RESEARCH ON VOTING TECHNOLOGY IMPROVEMENTS
Sec. 241. Grants for research on voting technology improvements.
Sec. 242. Report.
Sec. 243. Authorization of appropriations.
PART 3—PILOT PROGRAM FOR TESTING OF EQUIPMENT AND TECHNOLOGY
Sec. 251. Pilot program.
Sec. 252. Report.
Sec. 253. Authorization of appropriations.
PART 4—MISCELLANEOUS
Sec. 261. Role of National Institute of Standards and Technology.
SEC. 102. ELIGIBILITY.

(a) STATES.—A State is eligible to receive a payment under the program under this subtitle if it submits to the Administrator an application not later than 120 days after the date of enactment of this Act (in such form as the Administrator may require) containing—

(1) assurances that the State will use the payment (either directly or as reimbursement) to replace punch card voting systems in jurisdictions within the State which used such systems to carry out the general Federal election held in November 2000;

(2) assurances that in replacing punch card voting systems the State will continue to meet its duties under the Voting Accessibility for the Elderly and Handicapped Act (42 U.S.C. 1973ee et seq.) and the Americans With Disabilities Act; and

(3) assurances that in replacing punch card voting systems the State will provide alternative language accessibility for individuals with limited English proficiency, consistent with the requirements of the Voting Rights Act (as the case may be), except that in any other applicable provisions of law; and

(4) such other information and assurances as the Administrator may require which are necessary for the administration of the program.

(b) UNIT OF LOCAL GOVERNMENT.—A unit of local government is eligible to receive a payment under the program under this subtitle if it submits to the Administrator—

(1) an application (at such time and in such form as the Administrator may require) containing assurances to those required to be provided by a State in its application under subsection (a),

subject to subsection (c), a unit of local government is eligible to receive a payment under the program under this subtitle if it submits to the Administrator an application not later than 120 days after the date of enactment of this Act (in such form as the Administrator may require) which contains—

(1) assurances that the State will use the payment (either directly or as reimbursement) to make technical enhancements to punch card voting systems in jurisdictions within the State which used such systems to carry out the general Federal election held in November 2000;

(2) assurances that in enhancing the performance of such voting systems the State will continue to meet its duties under the Voting Accessibility for the Elderly and Handicapped Act (42 U.S.C. 1973ee et seq.) and the Americans With Disabilities Act; and

(3) such other information and assurances as the Administrator may require which are necessary for the administration of the program.

SEC. 103. AMOUNT OF PAYMENT.

(a) IN GENERAL.—The amount of payment made to a State or unit of local government under the program under this subtitle shall be the applicable per precinct matching rate of the cost to the State or unit (as the case may be) of replacing the punch card voting systems used in each precinct in the State or unit (as the case may be), except that in no case may the amount of the payment exceed the product of—

(1) the number of voting precincts administered under this program which used a punch card voting system to carry out the general Federal election held in November 2000; and

(2) $6,000.

(b) APPLICABLE PER PRECINCT MATCHING RATE DEFINED.—In subsection (a), the “applicable per precinct matching rate” is—

(1) 90 percent, or

(2) 95 percent, in the case of a precinct whose average per capita income is within the lowest quartile of average per capita incomes for all precincts in the United States (as determined by the 2000 decennial census).

SEC. 104. AUDIT AND REPAYMENT OF FUNDS.

(a) AUDIT.—Funds provided under the program under this subtitle shall be subject to audit by the Administrator.

(b) REPAYMENT FOR FAILURE TO MEET DEADLINES.—If a State or unit of local government (as the case may be) receives funds under the program under this subtitle fails to meet the deadlines applicable to the State or unit under section 101(c), the State or unit shall repay to the Administrator an amount equal to the amount of the funds provided to the State or unit under the program.

SEC. 105. PUNCH CARD VOTING SYSTEM DEFINED.

For purposes of this subtitle, a “punch card voting system” means any of the following voting systems:

(1) C.E.S.

(2) Datavote.

(3) PBC Counter.

(4) Pollstar.

(5) Punch Card.

(6) Vote Recorder.

Subtitle B—Enhancing Performance of Existing Systems

SEC. 111. ESTABLISHMENT OF PROGRAM.

(a) IN GENERAL.—Not later than 30 days after the date of the enactment of this Act, the Administrator shall establish a program under which the Administrator shall make a one-time payment to each eligible State or unit of local government which used a punch card voting system to administer the regular general election held in November 2000.

(b) USE OF FUNDS.—A State or unit of local government shall use the funds provided under this subsection either directly or as reimbursement to—

(1) provide the performance of the punch card voting systems provided under the program under this subtitle (by any arrangement as may be appropriate).

SEC. 112. ELIGIBILITY.

(a) STATES.—Subject to subsection (c), a State is eligible to receive a payment under the program under this subtitle if it submits to the Administrator an application not later than 120 days after the date of the enactment of this Act (in such form as the Administrator may require) which contains—

(1) assurances that the State will use the payment (either directly or as reimbursement) to—

(A) make technical enhancements to punch card voting systems in jurisdictions within the State which used such systems to carry out the general Federal election held in November 2000; and

(B) provide the performance of the punch card voting systems provided under the program under this subtitle.

(b) THE UNIT OF LOCAL GOVERNMENT.—Subject to subsection (c), a unit of local government is eligible to receive a payment under the program under this subtitle if it submits to the Administrator—

(1) not later than the date of the regularly scheduled general election for Federal office to be held in November 2002, a statement of its intent to participate in the program, including assurances that the State in which the unit is located—

(A) failed to submit an application under subsection (a) within the deadline specified under such subsection.

(B) is otherwise not eligible to receive a payment under the program, or

(C) is not otherwise eligible to receive a payment under the program under this subtitle if the State or unit receives a payment under the program under subsection (a).

SEC. 113. AMOUNT OF PAYMENT.

(a) IN GENERAL.—The amount of payment made to a State or unit of local government under the program under this subtitle shall be the applicable per precinct matching rate of the cost to the State or unit (as the case may be) of the activities to be funded with the payment under the program in each precinct in the State or unit (as the case may be), except that in no case may the amount of the payment exceed the product of—

(1) the number of voting precincts administered by the State or unit which used a
punch card voting system to carry out the general Federal election held in November 2000; and
(2) $2,000,000.
(b) APPLICABLE PER PRECINCT MATCHING RATE DEFINED.—In subsection (a), the “applicable per precinct matching rate” is—
(1) 95 percent, in the case of a precinct whose average per capita income is within the lowest quartile of average per capita incomes for all precincts in the United States (as determined by the 2000 decennial census).
SEC. 114. AUDIT AND REPAYMENT OF FUNDS.
(a) AUDIT.—Funds provided under the program described in this subtitle shall be subject to audit by the Administrator.
(b) REPAYMENT FOR FAILURE TO MEET REQUIREMENTS.—If a State or unit of local government (as the case may be) receiving funds under the program under this subtitle fails to meet the deadlines applicable to the State or unit under section 114(c), the State or unit shall pay to the Administrator an amount equal to the amount of the funds provided to the State or unit under the program.
Subtitle C—General Provisions
SEC. 120. AUTHORIZATION OF APPROPRIATIONS.
(a) IN GENERAL.—There are authorized to be appropriated for payments under this title $400,000,000, to remain available until expended for the purpose of making Election Fund payments under title II and used by the Commission and the States to carry out the duties described in this subtitle.
(b) USE OF RETURNED FUNDS AND FUNDS REMAINING UNEXPENDED FOR ELECTION FUND PAYMENTS.—
(1) IN GENERAL.—The amounts referred to in paragraph (2) shall be transferred to the Election Assistance Commission (established under title II) and used by the Commission to make Election Fund payments under part 1 of subtitle C of title II.
(2) AMOUNTS DESCRIBED.—The amounts referred to in this paragraph are as follows:
(A) The amount appropriated pursuant to the authorization under this section which remain unobligated as of the date of the regularly scheduled general election for Federal office held in November 2002.
(B) Any amounts paid to the Administrator by a State or unit of local government under section 114(b).
(C) Any amounts paid to the Administrator by a State or unit of local government under section 114(b).
SEC. 122. PUNCH CARD VOTING SYSTEM DEFINED.
For purposes of this title, a “punch card voting system” means any of the following voting systems:
1. C.E.S.
2. Datavote.
3. PBC Counter.
4. Photostar.
5. Punch Card.
7. Votomatic.

TITLE II—COMMISSION
Subtitle A—Establishment and General Organization
PART 1—ELECTION ASSISTANCE COMMISSION
SEC. 201. ESTABLISHMENT.
The Commission shall be established as an independent entity in the executive branch the Election Assistance Commission (hereafter in this title referred to as the “Commission”), consisting of:
(1) the members appointed under this part;
(2) the Election Assistance Commission Standards Board established under part 2 (including the Executive Board of such Board); and
(3) the Election Assistance Commission Board of Advisors established under part 2.
SEC. 202. MEMBERSHIP.
The Commission shall serve as a national clearinghouse and resource for the compila-
tion of information and review of procedures with respect to the administration of Federal elections by—
(1) carrying out the duties described in subtitle B (relating to voluntary election standards);
(2) carrying out the duties described in subtitle C (relating to election assistance); and
(3) developing and carrying out the Help America Vote College Program under title III.
SEC. 203. MEMBERSHIP AND APPOINTMENT.
(a) MEMBERSHIP.—
(1) IN GENERAL.—The Commission shall have 4 members appointed by the President, by and with the consent of the Senate, of whom—
(A) 1 shall be appointed from among a list of nominees submitted by the majority leader of the Senate;
(B) 1 shall be appointed from among a list of nominees submitted by the minority leader of the Senate;
(C) 1 shall be appointed from among a list of nominees submitted by the Speaker of the House of Representatives; and
(D) 1 shall be appointed from among a list of nominees submitted by the Governor of the State that is subject to the terms of subparagraph (A) as soon as practicable after the appointment of their members.
(2) TERMS OF INITIAL APPOINTEES.—As designated by the President at the time of appointment, the members of the Commission shall be made not later than 30 days after the date of enactment of this Act.
(b) TERM OF SERVICE.—
(1) IN GENERAL.—Except as provided in paragraphs (2) and (3), members shall serve for a term of 4 years and may be reappointed for not more than one additional term.
(2) TERMS OF INITIAL APPOINTEES.—As designated by the President at the time of appointment, of the members first appointed—
(A) 2 of the members (not more than 1 of whom may be affiliated with the same political party) shall be appointed for a term of 2 years; and
(B) 2 of the members (not more than 1 of whom may be affiliated with the same political party) shall be appointed for a term of 4 years.
(c) VACANCIES.—
(1) IN GENERAL.—A vacancy on the Commission shall be filled in the manner of the member replaced.
(2) CHAIR AND VICE CHAIR.—The Commission shall select a chair and vice chair from among the members for a term of 1 year, except that the chair and vice chair may not be affiliated with the same political party.
(d) COMPENSATION.—
(1) IN GENERAL.—Members of the Commission shall be paid at an annual rate equal to $30,000.
(2) TRAVEL EXPENSES.—Members of the Commission shall each receive travel expenses for their attendance at meetings, at rates authorized for employees of agencies under subchapter I of chapter 57 of title 5, United States Code, while away from their homes or regular places of business in the performance of services for the Commission;
(e) OUTSIDE EMPLOYMENT PERMITTED.—A member of the Commission may hold any other office or employment not inconsistent or in conflict with the member’s duties, responsibilities, and powers as a member of the Commission.
SEC. 204. STAFF.
(a) EXECUTIVE DIRECTOR AND OTHER STAFF.—
(1) IN GENERAL.—The Commission shall have an Executive Director, who shall be paid at a rate not to exceed the rate of basic pay for level V of the Executive Schedule.
(b) STAFF OF COMMISSION OR SERVICE DIRECTOR.—Except as provided in paragraph (3)(C), the Executive Director shall serve for a term of 4 years. An Executive Director may be re-appointed for additional terms.
(c) SPECIAL RULES FOR FIRST EXECUTIVE DIRECTOR.—
(1) CONVENING OF SEARCH COMMITTEES.—The Standards Board and the Board of Advisors shall each appoint a search committee and recommend nominees for the position of Executive Director in accordance with subparagraph (A) as soon as practicable after the appointment of their members.
(2) INTERIM INITIAL APPOINTMENT.—Notwithstanding subparagraph (B), the Commission may appoint an individual to serve as the first Executive Director prior to the recommendation of nominees for the position by the Standards Board or the Board of Advisors, except that such individual may not exceed 6 months. Nothing in the previous sentence may be construed to prohibit the individual serving as the first Executive Director from serving any additional term.
(3) OTHER STAFF.—Subject to rules prescribed by the Commission, the Executive Director may appoint and fix the pay of such additional personnel as the Executive Director considers appropriate.
(4) APPLICABILITY OF CERTAIN CIVIL SERVICE LAWS.—The Executive Director and staff of the Commission may be appointed without regard to the provisions of title 5, United States Code, governing appointments in the competitive service, with respect to the provisions of chapter 51 and subchapter III of chapter 53 of that title relating to classification and General Schedule pay rates, except that an individual so appointed may not receive pay in excess of the annual rate of basic pay for level V of the Executive Schedule.
SEC. 205. EXPERTS AND CONSULTANTS.—Subject to rules prescribed by the Commission, the Executive Director may procure temporary and intermittent services under section 3109(b) of title 5, United States Code, with the approval of a majority of the members of the Commission.
(c) STAFF OF FEDERAL AGENCIES.—Upon request of the Chair, the Director of the Executive branch department or agency may detail, on a reimbursable basis, any of the personnel of that
department or agency to the Commission to assist it in carrying out its duties under this Act.

(d) ARRANGING FOR ASSISTANCE FOR BOARD OF ADVISORS AND STANDARDS BOARD.—At the request of the Executive Assistance Commission Board of Advisors or the Election Assistance Commission Standards Board established under part 2, the Executive Director shall enter into such arrangements as the Executive Director considers appropriate to make it possible to assist the Boards with carrying out their duties under this title (including contracts with private individuals for providing temporary personnel for the temporary detailing of personnel of the Commission).

(e) CONSULTATION WITH BOARD OF ADVISORS AND STANDARDS BOARD ON CERTAIN MATTERS.—In preparing the program goals, long-term plans, mission statements, and related matters for the Commission, the Executive Director and staff of the Commission shall consult with the Election Assistance Commission Board of Advisors and the Election Assistance Commission Standards Board established under part 2.

SECTION 205. POWERS.

(a) HEARINGS AND SESSIONS.—The Commission may hold such hearings for the purpose of carrying out this Act, sit and act at such times and places, take such testimony, and receive such evidence as the Commission considers necessary to carry out this Act. The Commission may administer oaths and affirmations to witnesses appearing before the Commission.

(b) INFORMATION FROM FEDERAL AGENCIES.—The Commission may secure directly from any Federal department or agency such information as the Commission considers necessary to carry out this Act. Upon request of the Chair of the Commission, the head of such department or agency shall furnish such information to the Commission.

(c) POSTAL SERVICES.—The Commission may use the United States mails in the same manner and under the same conditions as other departments and agencies of the Federal Government.

(d) ADMINISTRATIVE SUPPORT SERVICES.—Upon the request of the Chair of the Commission, the Administrator of General Services shall provide to the Commission, on a reimbursable basis, the administrative support necessary to enable the Commission to carry out its duties under this Act.

(e) CONTRACTS.—The Commission may contract with and compensate persons and Federal agencies for supplies and services without regard to section 3709 of the Revised Statutes (41 U.S.C. 5).

SECTION 206. LIMITATION ON RULEMAKING AUTHORITY.

The Commission shall not have any authority to issue, promulgate any regulation, or take any other action which imposes any requirement on any State or unit of local government, except to the extent permitted under the National Voter Registration Act of 1993.

SECTION 207. AUTHORIZATION OF APPROPRIATIONS.

In amounts authorized for payments and grants under subtitle C and the amounts authorized to be appropriated for the program under section 303, there are authorized to be appropriated for each of the fiscal years 2002 through 2004 such sums as may be necessary (but not to exceed $10,000,000 for each such year) for the Commission to carry out its duties under this title.

PART 2—ELECTION ASSISTANCE COMMISSION STANDARDS BOARD AND BOARD OF ADVISORS.

SEC. 202. ESTABLISHMENT.

There are hereby established the Election Assistance Commission Standards Board (hereafter in this title referred to as the “Standards Board”) and the Election Assistance Commission Board of Advisors (hereafter in this title referred to as the “Board of Advisors”).

SEC. 212. DUTIES.

The Standards Board and the Board of Advisors shall each, in accordance with the procedures described in section 222, review and approve of the voluntary engineering and procedural performance standards described in section 221(a)(1), any of the voluntary standards described in such section determined by the Commission to be appropriate for the purpose of the voluntary election management practice standards described in section 221(a)(6) (and any modifications to such standards) which are recommended by the Commission under subtitle B.

SEC. 213. MEMBERSHIP OF STANDARDS BOARD.

(a) COMPOSITION.—

(1) IN GENERAL.—Subject to certification by the chair of the Election Assistance Commission under subsection (b), the Standards Board shall be composed of 110 members as follows:

(A) 55 shall be the chief State election officials of each State.

(B) 55 shall be local election officials selected in accordance with paragraph (2).

(2) LIST OF LOCAL ELECTION OFFICIALS.—Each State’s local election officials shall select (under a process supervised by the chief election official of the State) a representative local election official from the State for purposes of paragraph (1)(B). In the case of the District of Columbia, Guam, and American Samoa, the chief election official shall establish procedures for selecting an individual to serve as a local election official for purposes of such paragraph, except that under such a procedure the individual selected may not be a member of the political party as the chief election official.

(3) REQUIRING MIX OF POLITICAL PARTIES REPRESENTED.—The 2 members of the Standards Board who represent the same State may not be members of the same political party.

(b) PROCEDURES FOR NOTICE AND CERTIFICATION OF APPOINTMENT.—

(1) NOTICE TO CHAIR OF FEDERAL ELECTION COMMISSION.—Not later than 90 days after the date of the enactment of this Act, a State shall transmit a notice to the chair of the Federal Election Commission containing—

(A) a statement that the chief election official of the State will serve on the Standards Board under this title; and

(B) the name of the representative local election official from the State selected under subsection (a)(2) who will serve on the Standards Board under this title.

(2) CERTIFICATION.—Upon receiving a notice from a State under paragraph (1), the chair of the Federal Election Commission shall publish a certification that the chief election official and the representative local election official are appointed as members of the Standards Board.

(3) EFFECT OF FAILURE TO PROVIDE NOTICE.—If a State does not transmit a notice to the chair of the Federal Election Commission under paragraph (1) within the time described in such paragraph, no representative from the State may participate in the selection of the Executive Board under subsection (c).

(4) ROLE OF COMMISSION.—Upon the appointment of the members of the Election Assistance Commission, the Election Assistance Commission shall establish such rules and regulations as are necessary for the proper operation of the Federal Election Commission under this subsection.

(c) EXECUTIVE BOARD.—

(1) IN GENERAL.—Not later than 60 days after the last day on which the appointment of any of its members may be certified under subsection (b), the Standards Board shall select 9 of its members to serve as the Executive Board of the Standards Board, of whom—

(A) not more than 5 may be chief State election officials;

(B) not more than 5 may be local election officials; and

(C) not more than 5 may be members of the same political party.

(2) TERMS.—Except as provided in paragraph (3), members of the Executive Board of the Standards Board shall serve for a term of 2 years and may not serve for more than 3 consecutive terms.

(3) STAGGERING OF INITIAL TERMS.—Of the members first selected to serve in the Executive Board of the Standards Board—

(A) 3 shall serve for one term;

(B) 3 shall serve for 2 consecutive terms; and

(C) 3 shall serve for 3 consecutive terms, as determined by lot at the time the members are first appointed.

(4) DUTIES.—In addition to any other duties assigned under this title, the Executive Board of the Standards Board may carry out such duties of the Standards Board as the Standards Board may designate from time to time.

SEC. 214. MEMBERSHIP OF BOARD OF ADVISORS.

(a) IN GENERAL.—The Board of Advisors shall be composed of 25 members appointed and served as follows:

(1) 2 members appointed by the United States Commission on Civil Rights.

(2) 2 members appointed by the Architectural and Transportation Barriers Compliance Board under section 502 of the Rehabilitation Act of 1973 (29 U.S.C. 792).

(3) 2 members appointed by the National Governors Association.

(4) 2 members appointed by the National Conference of State Legislatures.

(5) 2 members appointed by the National Association of Secretaries of State.

(6) 2 members appointed by the National Association of State Election Directors.

(7) 2 members appointed by the National Association of Counties.

(8) 2 members appointed by the National Association of County Recorders, Election Administrators, and Clerks.

(9) 2 members appointed by the United States Conference of Mayors.

(10) 2 members appointed by the Election Center.

(11) 2 members appointed by the International Association of County Recorders, Election Officials, and Treasurers.

(12) 2 members representing professionals in the field of science and technology, of whom 1 shall be appointed by the Speaker of the House of Representatives and 1 shall be appointed by the majority leader of the Senate (or, if the majority leader is a member of the same political party as the Speaker, by the minority leader of the Senate).

(13) The Chief of the Office of Public Integrity of the Department of Justice, or the chief’s designee.

(b) DIVERSITY IN APPOINTMENTS.—Appointments shall be made to the Board of Advisors under paragraph (a) in a manner which ensures that the Board of Advisors will be bipartisan in nature and will reflect the various geographic regions of the United States.

(c) TERM OF SERVICE; VACANCY.—Members of the Board of Advisors shall serve for a term of 2 years, and may be reappointed. Any vacancy in the Board of Advisors shall be filled by the member in the manner in which the original appointment was made.

(d) CHAIR.—The Board of Advisors shall elect a Chair from among its members.

SEC. 215. PERSONAL SECURITY AND COMPENSATION FOR SERVICE.

(a) HEARINGS AND SESSIONS.—
H9268

CONGRESSIONAL RECORD—HOUSE

December 12, 2001

(1) In general.—To the extent that funds are made available by the Commission, the Standards Board (acting through the Executive Board) and the Board of Advisors may each hold such hearings for the purpose of carrying out this Act. Set and act at such times and places, take such testimony, and receive such evidence as each such Board considers necessary to carry out this Act, except that the Boards may not issue subpoenas requiring the attendance and testimony of witnesses or the production of any evidence.

(2) Meetings.—The Standards Board and the Board of Advisors shall each hold a meeting of its members—

(A) at least quarterly, but no less frequently than once every two years for purposes of voting on the standards referred to it under section 223;

(B) in the case of the Standards Board, not less frequently than every four years for purposes of selecting the Executive Board; and

(C) at such other times as it considers appropriate for purposes of consulting with other business as it considers appropriate consistent with this title.

(b) Information from Federal Agencies.—The Standards Board and the Board of Advisors may each secure direct from any Federal department or agency such information as the Board considers necessary to carry out this Act. Upon request of the Executive Board (in the case of the Standards Board) or the Chair (in the case of the Board of Advisors) of any such department or agency thereof, the agency shall furnish such information to the Board.

(c) Postal Services.—The Standards Board and the Board of Advisors may use the United States mails in the same manner and under the same conditions as a department or agency of the Federal Government.

(d) Administrative Support Services.—Upon the request of the Executive Board (in the case of the Standards Board) or the Chair (in the case of the Board of Advisors), the Administrator of the General Services Administration shall provide to the Board, on a reimbursable basis, the administrative support services necessary for the Board to carry out its duties under this title.

(e) No Compensation for Service.—Members of the Standards Board and members of the Board of Advisors shall not receive any compensation for their service, but shall be reimbursed for all expenses necessarily incurred in the performance of such service.

SEC. 216. STATUS OF BOARDS AND MEMBERS FOR PURPOSES OF CLAIMS AGAINST BOARD.

(a) In general.—The provisions of chapters 161 and 171 of title 28, United States Code, that provide for immunity from suit (with respect to the liability of the Standards Board, the Board of Advisors, and their members for acts or omissions performed pursuant to and in the course of the duties and responsibilities of the Board), and that set forth the procedures for obtaining judicial review of the Board’s final decision under chapter 75 of title 28, United States Code, shall apply to the Board of Advisors.

(b) Exception for Criminal Acts and Other Willful Conduct.—Subsection (a) shall not apply to the Standards Board, the Board of Advisors, and their members for acts or omissions performed pursuant to and in the course of the duties and responsibilities of the Board for the purpose of preventing fraud.

Subtitle B—Voluntary Election Standards

SEC. 221. DEVELOPMENT OF VOLUNTARY ELECTION STANDARDS.

(a) In general.—The Commission shall:

(1) in accordance with section 223, develop (through the Executive Director of the Commission), adopt, and update (not less often than every 4 years thereafter) voluntary election management standards for voting systems used in Federal elections which shall meet the following requirements:

(A) The scope of the standards should include security (including a documentary audit for non-ballot systems), the procedures for certification and decertification of software and firmware of voting systems, auditability, usability, and operational guidelines for the proper use and maintenance of equipment.

(B) The standards should provide that voters have the opportunity to correct errors at the precint or other polling place, either within the voting equipment itself or in the operational guidelines to administrators for using the equipment, under conditions which assure privacy to the voter.

(C) Each voting tally system certified for use should include as part of the certification a proposed statement of what constitutes a proper vote in the design and operation of the system.

(D) New voting equipment systems certified by the Federal government or any State shall require at least effective means for voters with physical disabilities to cast a secret ballot.

(2) Maintain a file of information on the experiences of State and local governments in implementing the voluntary standards described in paragraph (1) and in operating voting systems in general.

In accordance with section 223, provide for the voluntary testing, certification, decertification, and recertification of voting systems.

(c) Advise States and units of local government regarding compliance with the requirements of the Voting Accessibility for the Elderly and Handicapped Act (42 U.S.C. 1973ee et seq.) and compliance with other Federal laws regarding accessibility of registration facilities and polling places. Additionally, in accordance with section 223, the Commission shall develop (through the Executive Director of the Commission), adopt, and update (not less often than every 4 years thereafter) voluntary guidelines to enhance the accessibility and privacy of registration facilities, polling places, and voting methods, with the goal of promoting for all individuals, including individuals with disabilities, the accessibility of polling places and the effective use of voting systems and voting equipment which provide the opportunity for use of a secret ballot, and shall include in such standards voluntary guidelines regarding accessibility and ease-of-use for States and units of local government to maintain and operate voter registration systems and voting places.

(d) In accordance with section 223, develop (through the Executive Director of the Commission), adopt, and update (not less often than every 4 years thereafter) voluntary election management standards for State and local election officials to maintain and enhance the administration of Federal elections, including standards developed in consultation with the Secretary of Defense to govern the treatment of absent uniformed services voters (as defined in section 107(1) of the Uniformed and Overseas Citizens Absentee Voting Act) and overseas voters (as defined in section 107(5) of such Act) which will include provisions to address each of the following:

(A) The rights of residence of uniformed services voters absent due to military orders.

(B) The rights of absent uniformed services voters and overseas voters to register and cast absentee ballots.

(C) The rights of absent uniformed services voters and overseas voters to use absentee ballots to absent uniformed services voters and overseas voters.

(D) The appropriate pre-election deadline for mailing absentee ballots to absent uniformed services voters and overseas voters.

(E) The appropriate minimum period between the mailing of absentee ballots to absent uniformed services voters and overseas voters and the deadline for receipt of such ballots.

(F) The timely transmission of balloting materials to absent uniformed services voters and overseas voters.

(G) Security and privacy concerns in the transmission, receipt, processing, and tabulation of ballots from absent uniformed services voters and overseas voters, including the need to protect against fraud.

(H) The use of a single application by absent uniformed services voters and overseas voters for absentee ballots for all Federal elections occurring during a year.

(I) The use of a single application for voter registration and absentee ballots by absent uniformed services voters and overseas voters.

(J) The use of facsimile machines and electronic means of transmission of absentee ballot applications and absentee ballots to absent uniformed services voters and overseas voters.

(K) Other issues related to the rights of absent uniformed services voters and overseas voters to participate in elections.

(L) The use of a single application for absentee elections.

(M) The use of a single application for absentee elections.

(N) The use of a single application for absentee elections.

(O) The use of a single application for absentee elections.

(P) The use of a single application for absentee elections.

(Q) The use of a single application for absentee elections.

(R) The use of a single application for absentee elections.

(S) The use of a single application for absentee elections.

(T) The use of a single application for absentee elections.

(U) The use of a single application for absentee elections.

(V) The use of a single application for absentee elections.

(W) The use of a single application for absentee elections.

(X) The use of a single application for absentee elections.

(Y) The use of a single application for absentee elections.

(Z) The use of a single application for absentee elections.

[The remainder of the section describes the election administration issues described in this subsection as follows:�]
SEC. 222. TECHNICAL STANDARDS DEVELOPMENT COMMITTEE.

(a) Establishment.—There is hereby established the Technical Standards Development Committee (hereafter in this subtitle referred to as the "Development Committee").

(b) Duties.—

(1) In General.—The Development Committee shall assist the Executive Director of the Commission in the development of voluntary standards under this subtitle by recommending (and, in its discretion, revising) technical specifications and models of voting systems and voting equipment. At the time the Commission proposes to be accredited to carry out its duties under this subtitle, the Director of the National Institute of Standards and Technology shall provide the Development Committee technical support concerning the standard adopted under section 223.

(2) Approval by Commission.—The Executive Director of the Commission shall submit each of the voluntary engineering and procedural performance standards (described in section 222(a)(1)), each of the voluntary standards described in section 222(a)(4), and each of the voluntary voting system management standards (described in section 222(a)(6)) developed by the Executive Director (or any modifications to such standards) to the Board of Advisors for review.

(3) Standards Board.—The Executive Director of the Commission shall submit each of the voluntary engineering and procedural performance standards (described in section 221(a)(1)), each of the voluntary standards described in section 221(a)(4), and each of the voluntary voting system management standards (described in section 221(a)(6)) developed by the Executive Director (or any modifications to such standards) to the Executive Board of the Standards Board for review and forward its recommendations to the Standards Board.

(b) Review.—Upon receipt of a voluntary standard described in subsection (a) (or modification of such a standard) from the Executive Director of the Commission, the Board of Advisors and the Standards Board shall each review and submit comments and recommendations regarding the standard (or modification) to the Commission.

(c) Final Approval.—

(1) In General.—A voluntary standard described in subsection (a) (or modification of such a standard) shall not be finally adopted by the Commission unless the majority of the members of the Commission vote to approve the final adoption of the standard (or modification), taking into consideration the comments and recommendations submitted by the Board of Advisors and the Standards Board under subsection (b).

(2) Minimum Period for Consideration of Comments and Recommendations.—The Commission may not vote on the final adoption of a voluntary standard described in subsection (a) (or modification of such a standard) until the expiration of the 90-day period which begins on the date the Executive Director of the Commission submits the standard (or modification) to the Board of Advisors and the Standards Board under subsection (a).

SEC. 224. CERTIFICATION AND TESTING OF VOTING SYSTEMS.

(a) Certification and Testing.—

(1) In General.—The Commission shall provide for the testing, certification, decertification, and recertification of voting system software and hardware by accredited laboratories.

(2) Optional Use by States.—At the option of a State, the State may provide for the testing, certification, decertification, and recertification of its voting system software and hardware by the laboratories accredited by the Commission under this section.

(b) Laboratory Accreditation.—

(1) Recommendations by National Institute of Standards and Technology.—Not later than 6 months after the Commission first adopts voluntary engineering and procedural performance standards under this subtitle, the Director of the National Institute of Standards and Technology shall conduct an evaluation of the laboratories and shall submit to the Commission a list of those laboratories which the Director proposes to be accredited to carry out the testing, certification, decertification, and recertification provided for under this section.

(2) Approval by Commission.—The Commission shall vote on the proposed accreditation of each laboratory on the list submitted under paragraph (1), and no laboratory may be accredited for purposes of this section unless its accreditation is approved by a majority vote of the members of the Commission.

(c) Continuing Review by National Institute of Standards and Technology.—In the event the Commission and in consultation with the Standards Board and the Board of Advisors, the Director of the National Institute of Standards and Technology shall monitor, on an ongoing basis, the performance of the laboratories accredited by the Commission under this section, and shall make such recommendations to the Commission as it considers appropriate with respect to the continuing accreditation of such laboratories, including recommendations to revoke the accreditation of any laboratory.

(2) Approval by Commission required for Revocation.—The accreditation of a laboratory for purposes of this section may not be revoked unless the revocation is approved by a majority vote of the members of the Commission.

(2) Approval by Commission required for Revocation.—The accreditation of a laboratory for purposes of this section may not be revoked unless the revocation is approved by a majority vote of the members of the Commission.
SEC. 225. DISSEMINATION OF INFORMATION.
On an ongoing basis, the Commission shall disseminate to the public (through the Internet, published reports, and such other methods as the Commission considers appropriate) information on the activities carried out under this subtitle, including—
(1) the voluntary election standards adopted by the States which meet the guidelines for applying the standards and other information to assist in their implementation;
(2) the list of laboratories accredited to carry out standards development, certification, and recertification of voting system hardware and software under section 224; and
(3) a list of voting system hardware and software which have been certified pursuant to section 224 as meeting the applicable voluntary standards adopted by the Commission under this subtitle.

Subtitle C—Election Assistance

PART III—ELECTION FUND PAYMENTS TO STATES FOR VOTING SYSTEM IMPROVEMENTS

SEC. 231. ELECTION FUND PAYMENTS TO STATES FOR VOTING SYSTEM IMPROVEMENTS.

(a) IN GENERAL.—The Commission shall make an Election Fund payment each year in an amount determined under section 232 to each State which meets the requirements described in section 233 for the year.

(b) USE OF FUNDS.—A State receiving an Election Fund payment shall use the payment for any or all of the following activities:

(1) Establishing and maintaining accurate lists of eligible voters.

(2) Encouraging eligible voters to vote.

(3) Improving verification and identification of voters at the polling place.

(4) Improving equipment and methods for casting and counting votes.

(5) Recruiting and training election official and poll workers.

(6) Improving the quality and availability of voting machines.

(7) Educating voters about their rights and responsibilities.

(8) Assuring access for voters with physical disabilities.

(9) Carrying out other activities to improve the administration of elections in the State.

(c) ADOPTION OF COMMISSION STANDARDS NOT REQUIRED TO RECEIVE PAYMENT.—Nothing in this part may be construed to require a State to implement any of the voluntary standards and certification processes which have been adopted by the Commission with respect to any matter as a condition for receiving an Election Fund payment.

(d) SCHEDULE OF PAYMENTS.—As soon as practicable after all members of the Commission are appointed (but in no event later than 6 months thereafter), and not less frequently than once each calendar year thereafter, by the Commission shall make Election Fund payments to States under this part.

SEC. 232. ALLOCATION OF FUNDS.

(a) IN GENERAL.—Subject to subsection (c), the amount of an Election Fund payment made to a State for a year shall be equal to—

(1) the total amount appropriated for Election Fund payments for the year under section 234; and

(2) the amount described in paragraph (1).

(b) MINIMUM AMOUNT OF PAYMENT.—The amount of an Election Fund payment made to a State for a year may not be less than—

(1) in the case of any of the several States or the District of Columbia, 25 percent of the total amount appropriated for Election Fund payments for the year under section 234; or

(2) in the case of the Commonwealth of Puerto Rico, Guam, American Samoa, or the United States Virgin Islands, 20 percent of the amount described in paragraph (1).

(c) CONTINUING AVAILABILITY OF FUNDS AFTER APPORTIONMENT.—An Election Fund payment made to a State under this part shall be available to the State without fiscal year limitation.

SEC. 233. CONDITIONS FOR RECEIPT OF FUNDS.

(a) IN GENERAL.—In order to receive an Election Fund payment for a fiscal year, the chief State election official of the State shall provide the Commission with the following certifications:

(1) A certification that the State has authorized and appropriated funds for carrying out the activities for which the Election Fund payment is made in an amount equal to at least 25 percent of the amount spent by the State for such activities (taking into account the Election Fund payment and the amount spent by the State) for the fiscal year.

(2) A certification that the State has set a uniform Statewide benchmark for voting system performance in each local jurisdiction administered expressed as a percentage of residual vote in the contest at the top of the ballot, and requires local jurisdictions to report data relevant to this benchmark after each general election for Federal office.

(3) A certification that the State is in compliance with the voluntary voting system standards and certification processes adopted by the Commission or that the State has enacted legislation establishing its own State voting system standards and processes which (at a minimum) ensure that new voting mechanisms have the audit capacity to produce a record for each ballot cast.

(4) A certification that—

(A) in each precinct or polling place in the State, there is at least one voting system available which is fully accessible to individuals with physical disabilities.

(B) if the State uses any portion of its Election Fund payment to obtain new voting machines, at least one voting machine in each polling place which is fully accessible to individuals with physical disabilities.

(5) A certification that the State has established a fund described in subsection (b) for purposes of administering its activities under this part.


(7) A certification that the State provides for voter education and poll worker training programs to improve access to and participation in the voting process and provides relevant training in the requirements of the National Voter Registration Act of 1993 for personnel of State motor vehicle authority offices and franchise motor vehicle registration agencies designated by the State under such Act.

(b) REQUIREMENTS FOR ELECTION FUND.—

(1) ELECTION FUND DESCRIBED.—For purposes of subsection (a)(5), a fund described in this subsection with respect to a State is a fund which is established in the treasury of the State government, which is used in accordance with paragraph (2), and which consists of the following amounts:

(1) amounts appropriated by or otherwise made available by the State for carrying out the activities for which the Election Fund payment is made to the State under this part.

(2) The Election Fund payment made to the State under this part.

(3) Such other amounts as may be appropriated under law.

(4) Interest earned on deposits of the fund.

(2) USE OF FUND.—Amounts in the fund shall be used by the State exclusively to carry out the activities for which the Election Fund payment is made to the State under this part.

(c) METHODS OF COMPLIANCE LEFT TO DISCRETION OF STATE.—The specific choices on the methods of complying with the requirements described in subsection (a) shall be left to the discretion of the State.

(d) CHIEF STATE ELECTION OFFICIAL DESIGNATED.—In this subtitle, the “chief State election official” of a State is the individual designated by the State under section 10 of the National Voter Registration Act of 1993 (42 U.S.C. 1973g-8) to be responsible for coordination of the State’s responsibilities under such Act.

SEC. 234. AUTHORIZATION OF APPROPRIATIONS.

There are authorized to be appropriated for Election Fund payments under this part an aggregate amount of $22,250,000,000 for fiscal years 2002 through 2004.

PART II—GRANTS FOR RESEARCH ON VOTING TECHNOLOGY IMPROVEMENTS

SEC. 241. GRANTS FOR RESEARCH ON VOTING TECHNOLOGY IMPROVEMENTS.

(a) IN GENERAL.—The Commission shall make grants to assist entities in carrying out research and development to improve the quality, reliability, accuracy, accessibility, affordability, and security of voting equipment, election systems, and voting technology.

(b) ELIGIBILITY.—An entity is eligible to receive a grant under this part if it submits to the Commission (as the Commission may require) an application containing—

(1) assurances that the research and development funded with the funds provided under this part will result in accessible voting equipment fully accessible for individuals with disabilities (including blind individuals), the need to ensure that such individuals can vote independently and with privacy, and the need to provide alternative language accessibility for individuals with limited proficiency in the English language (consistent with the requirements of the Voting Rights Act of 1965); and

(2) such other information and assurances as the Commission may require.

(c) APPLICABILITY OF REGULATIONS GOVERNING PATENT RIGHTS IN INVENTIONS MADE WITH FEDERAL ASSISTANCE.—Any invention made by the recipient of a grant under this part shall be subject to chapter 18 of title 35, United States Code (relating to patent rights in inventions made with Federal assistance).

SEC. 242. REPORT.

(a) IN GENERAL.—Each entity which receives a grant under this part shall submit to the Commission, Congress, and the President a report describing the activities carried out with the funds provided under the grant.

(b) DEADLINE.—An entity shall submit a report required under subsection (a) not later
under paragraph (1) for a year in the report submitted for the year under section 362.
(e) INTRAMURAL RESEARCH AND DEVELOPMENT.—The Director shall establish a program to maintain and develop equipment in areas to support the development of voluntary technical standards for voting products and systems, including
(1) the acquisition of computers, computer networks, and computer data storage used in voting products and systems, including the Statewide voter registration networks required under paragraph (1) for a year in the report submitted for the year under section 362;
(2) methods to detect and prevent fraud;
(3) the protection of voter privacy;
(4) the role of computers in the design and application of voting products and systems, including assistive technologies for individuals with disabilities and varying levels of literacy; and
(5) remote access voting, including voting through the Internet.

SEC. 262. REPORTS.
(a) ANNUAL REPORTS ON ACTIVITIES.—Not later than 90 days after the end of each fiscal year, the Commission shall submit a report to the Committee on House Administration of the House of Representatives and the Committee on Rules and Administration of the Senate on the activities carried out by the Commission under this subtitle during the preceding fiscal year, and shall include in the report a description of all applications for Election Fund payments and grants received by the Commission during the year under this subtitle and the disposition of such applications.
(b) REPORT ON HUMAN FACTOR RESEARCH.—Not later than 1 year after the date of enactment of this Act, the Commission, in consultation with the Director of the National Institute of Standards and Technology, shall submit to Congress a report which assesses the areas of human factor research, including usability engineering and human-computer and human-machine interaction, which feasibly could be applied to voting products and systems design to ensure the usability and accuracy of voting products and systems, including methods to improve access for individuals with disabilities and to reduce voter error and the number of spoiled ballots in elections.

SEC. 263. AUDIT.
(a) IN GENERAL.—As a condition of receiving funds under this subtitle, a State or entity described in paragraph (2) or part 3 shall agree that such funds shall be subject to audit if 2 or more members of the Commission vote to require an audit.
(b) MANDATORY AUDIT.—In addition to audits conducted pursuant to subsection (a), all funds provided under this subsection shall be subject to mandatory audit at least once during the lifetime of the programs under this subtitle.

TITLE III—HELP AMERICA VOTE COLLEGE PROGRAM

SEC. 301. ESTABLISHMENT OF PROGRAM.
(a) IN GENERAL.—Not later than 1 year after the appointment of its members, the Director of the Election Commission shall develop a program to be known as the "Help America Vote College Program" (hereafter in this title referred to as the "Program").
(b) PURPOSES OF PROGRAM.—The purpose of the Program shall be—
(1) to encourage students enrolled at institutions of higher education (including community colleges) to participate in intramural research and development by enabling students to work with local election officials to meet the purposes described in section 301(b);
(2) such other information and assurances as the Director considers appropriate.

SEC. 352. AUTHORIZATION OF APPROPRIATIONS.
(a) IN GENERAL.—There are appropriated to be made available for the fiscal year 2002 $10,000,000, which is the subject of the report.

PART 5—PILOT PROGRAM FOR TESTING OF EQUIPMENT AND TECHNOLOGY

SEC. 252. PILOT PROGRAM.
(a) IN GENERAL.—The Commission shall make grants to carry out pilot programs under which new technologies in voting systems and equipment are implemented on a trial basis.
(b) ELIGIBILITY.—An entity is eligible to receive a grant under this part if it submits to the Commission an application containing
(1) assurances that the pilot programs funded with the grant will take into account the need to make voting equipment fully accessible for individuals with disabilities (including blind individuals), the need to ensure that such individuals can vote independently and with privacy, and the need to provide alternative language accessibility for individuals with limited proficiency in the English language (consistent with the requirements of the Voting Rights Act of 1965); and
(2) such other information and assurances as the Director considers appropriate.

SEC. 252. REPORT.
(a) IN GENERAL.—Each entity which receives a grant under this part shall submit to the Commission, Congress, and the President a report describing the activities carried out with the funds provided under the grant.
(b) DEADLINE.—An entity shall submit a report required under subsection (a) not later than 60 days after the end of the fiscal year for which the entity received the grant which is the subject of the report.

SEC. 253. AUTHORIZATION OF APPROPRIATIONS.
There are appropriated to be made available for grants under this part $10,000,000 for fiscal year 2002.

PART 4—MISCELLANEOUS

SEC. 261. ROLE OF NATIONAL INSTITUTE OF STANDARDS AND TECHNOLOGY.
(a) RECOMMENDATION OF TOPICS FOR RESEARCH ON VOTING MACHINES AND PILOT PROGRAMS.—The Director of the National Institute of Standards and Technology (hereafter in this section referred to as the ‘‘Director’’) shall submit to the Commission an annual list of the Director’s suggestions for issues which may be the subject of research funded with grants awarded under part 2 and part 3 during the year.
(b) REVIEW OF GRANT APPLICATIONS RECEIVED BY COMMISSION.—The Commission shall submit each application it receives for a grant under part 2 or part 3 to the Director, who shall review the application and provide the Commission with such comments as the Director considers appropriate.
(c) COORDINATION OF GRANT ACTIVITIES.—After the Commission has awarded a grant under part 2 or part 3, the Director shall monitor the grant and (to the extent permitted under the terms of the grant as awarded) may recommend to the Commission that the recipient of the grant modify or terminate the activities carried out under the grant.
(d) EVALUATION OF COMPLETED GRANTS.—In General.—After the recipient of a grant awarded by the Commission has completed the terms of the grant as awarded, the Director shall prepare and submit to the Commission an evaluation of the grant and the activities carried out under the grant.

SEC. 262. REPORTS.
(a) ANNUAL REPORTS ON ACTIVITIES.—Not later than 90 days after the end of each fiscal year, the Commission shall submit a report to the Committee on House Administration of the House of Representatives and the Committee on Rules and Administration of the Senate on the activities carried out by the Commission under this subtitle during the previous fiscal year, and shall include in the report a description of all applications for Election Fund payments and grants received by the Commission during the year under this subtitle and the disposition of such applications.
(b) REPORT ON HUMAN FACTOR RESEARCH.—Not later than 1 year after the date of enactment of this Act, the Commission, in consultation with the Director of the National Institute of Standards and Technology, shall submit to Congress a report which assesses the areas of human factor research, including usability engineering and human-computer and human-machine interaction, which feasibly could be applied to voting products and systems design to ensure the usability and accuracy of voting products and systems, including methods to improve access for individuals with disabilities and to reduce voter error and the number of spoiled ballots in elections.

SEC. 263. AUDIT.
(a) IN GENERAL.—As a condition of receiving funds under this subtitle, a State or entity described in paragraph (2) or part 3 shall agree that such funds shall be subject to audit if 2 or more members of the Commission vote to require an audit.
(b) MANDATORY AUDIT.—In addition to audits conducted pursuant to subsection (a), all funds provided under this subtitle shall be subject to mandatory audit at least once during the lifetime of the programs under this subtitle.

TITLE IV—HELP AMERICA VOTE FOUNDATION

SEC. 401. HELP AMERICA VOTE FOUNDATION.
(a) IN GENERAL.—Part B of subtitle II of title 36, United States Code, is amended by inserting after chapter 1525 the following:

"CHAPTER 1526—HELP AMERICA VOTE FOUNDATION"

"Sec. 152601. Organization.
152602. Purposes.
152603. Board of directors.
152604. Powers.
152605. Principal office.
152606. Service process.
152607. Annual audit.
152608. Civil action by Attorney General for equitable relief.
152611. Authorization of appropriations.
152612. Annual report.
"* 152601. Organization.
"* 152602. Purposes.
"* 152603. Board of directors.
"* 152604. Powers.
"* 152605. Principal office.
"* 152606. Service process.
"* 152607. Annual audit.
"* 152608. Civil action by Attorney General for equitable relief.
"* 152611. Authorization of appropriations.
"* 152612. Annual report.

SEC. 262. REPORTS.
(a) IN GENERAL.—In carrying out the Program, the Commission (in consultation with the chief election official of each State) shall develop a program to sponsor seminars and workshops, engage in advertising targeted at students, make grants, and take such other actions as it considers appropriate to meet the purposes described in section 301(b).
(b) REQUIREMENTS FOR GRANT RECIPIENTS.—In making grants under the Program, the Commission shall ensure that the funds provided are spent for projects and activities which are carried out without partisan bias or without promoting any particular point of view; requiring any person to be a recipient of the grants is governed in a balanced manner which does not reflect any partisan bias.

TITLE V—HELP AMERICA VOTE COLLEGE PROGRAM

SEC. 301. ESTABLISHMENT OF PROGRAM.
(a) IN GENERAL.—Not later than 1 year after the appointment of its members, the Commission shall develop a program to be known as the "Help America Vote College Program" (hereafter in this title referred to as the "Program").
(b) PURPOSES OF PROGRAM.—The purpose of the Program shall be—
(1) to mobilize secondary school students (including students educated in the home) in the United States to participate in the election process as a nonpartisan manner as poll workers or assistants;
(2) place secondary school students (including students educated in the home) as nonpartisan poll workers or as local election officials in precinct polling places across the United States; and
(3) establish cooperative efforts with States and local election officials, foundations, higher education agencies, superintendents and principals of public and private secondary
CONGRESSIONAL RECORD — HOUSE
December 12, 2001

§ 152603. Board of directors
(a) GENERAL.—The board of directors is the governing body of the foundation.
(b) MEMBERS AND APPOINTMENT.—(1) The board consists of 12 directors, who shall be appointed not later than 60 days after the date of the enactment of this chapter.

§ 152604. Officers and employees
(a) APPOINTMENT OF OFFICERS AND EMPLOYEES.—The board of directors appoints, removes, and replaces officers and employees of the foundation.
(b) STATUS AND COMPENSATION OF EMPLOYEES.—(1) In general.—Officers and employees of the foundation—

§ 152605. Powers
(a) GENERAL.—The foundation may—

§ 152606. Help America Vote Foundation

§ 152607. Service of process

§ 152608. Annual audit

§ 152609. Civil action by Attorney General for equitable relief

§ 152610. Imunity of United States Government

§ 152612. Annual report

§ 152613. Election systems
(a) General.

§ 152614. Election systems
(b) Method of implementation left to discretion of State.
(c) CHIEF STATE ELECTION OFFICIAL DEFINED.—In this title, the ‘‘chief state election official of a State is the individual designated by the State under section 10 of the National Polling Place Inspection Act of 1979 (2 U.S.C. 1973gg-8) to be responsible for coordination of the State’s responsibilities under such Act.

SEC. 502. STANDARDS DESCRIBED.

The minimum standards for State election systems described in this section are as follows:

(1) The State will implement a Statewide voter registration system networked to every local jurisdiction in the State, with provisions for storing voter data with other States, except that this paragraph shall not apply in the case of a State in which, under law in effect continuously on and after the date of the enactment of this Act, there is no voter registration requirement for any voter in the State with respect to an election for Federal office.

(2) The State election system includes provisions to ensure that voter registration records in the State are accurate and are updated regularly, including the following:

(A) a system of file maintenance which removes registrants who are ineligible to vote from the official list of eligible voters. Under such system, with the National Voter Registration Act of 1993, registrants who have not voted in 2 or more consecutive general elections for Federal office and who have not submitted a notice shall be removed from the official list of eligible voters, except that no registrant may be removed solely by reason of a failure to vote.

(B) Safeguards to ensure that eligible voters are not removed in error from the official list of eligible voters.

(3) The State permits, by the deadline required by paragraph (3) of section 107(5) of such Act, for voters with physical disabilities to cast a provisional ballot and to have the opportunity to vote and to have their votes counted.

(4) The State has adopted uniform standards that define what will constitute a vote on each category of voting equipment certified for use in the State.

(5) The State has implemented safeguards to ensure that absent uniformed services voters (as defined in the Uniformed and Overseas Citizens Absentee Voting Act (2 U.S.C. 1973ff et seq.)) and overseas voters (as defined in section 107(5) of such Act) in the jurisdiction have the opportunity to vote and to have their votes counted.

(6) The State requires new voting systems to provide a practical and effective means for voters with physical disabilities to cast a secret ballot.

(7) If the State uses voting systems which give voters the opportunity to correct errors, the State ensures that voters are able to check for and correct errors under conditions which assure privacy, States, and units of local government within the States, replacing all voting machines within their jurisdiction shall ensure that the new voting system gives voters the opportunity to correct errors before the election.

SEC. 503. ENFORCEMENT.

(a) ACTION BY ATTORNEY GENERAL.—After receiving notice from the Commission under subsection (a), the Attorney General may bring a civil action against a State in an appropriate district court for such declaratory or injunctive relief as may be necessary to remedy a violation of this title.

(b) ACTION BY COMMISSION TO ATTORNEY GENERAL.—If a State does not provide a certification under section 501 to the Election Assistance Commission, or if the Commission has credible evidence that a State’s certification is false or that a State is carrying out actions contrary to the terms of the certification, the Commission shall notify the Attorney General.

(c) ACTION BY ATTORNEY GENERAL.—After receiving notice from the Commission under subsection (a), the Attorney General may bring a civil action against a State in an appropriate district court for such declaratory or injunctive relief as may be necessary to remedy a violation of this title.

SEC. 504. EFFECTIVE DATE.

(a) IN GENERAL.—Except as provided in subsection (b), the requirements of this title shall take effect upon the expiration of the 2-year period which begins on the date of the enactment of this Act, except that the chief state election official of a State certifies that good cause exists to waive the requirements of this title with respect to the State until the date of the regularly scheduled general election for Federal office held in November 2004, the requirements shall apply with respect to the State beginning on the date of such election.

(b) DEADLINES FOR IMPLEMENTATION OF PROVISIONAL VOTING.—The minimum standard described in section 502(3) (relating to permitting in-precinct provisional voting) shall apply with respect to the regularly scheduled general election for Federal office held in November 2002 and each succeeding election for Federal office.

(c) ANNUAL EFFECTIVENESS AND COMPLIANCE REVIEWS.—(1) The Inspector General of the Department of Defense shall periodically conduct at Department of Defense installations unannounced management effectiveness review or inspections of the implementation of this title.

(2) As part of each assessment prepared under paragraph (1), the Inspector General shall conduct an assessment of the effectiveness and compliance of the State statewide voter registration system.
“(D) describe the training such members receive to perform their duties as voting assistance officers.

“(g) Registration and Voting Information
   for Members and Dependents.—(1) The Secretary of each military department, using a variety of means including both print and electronic media, shall, to the maximum extent practicable, ensure that members of the armed forces and their dependents who are qualified to vote in Federal elections have ready access to the information regarding voter registration and requirements and deadlines (including voter registration), absentee ballot application requirements and deadlines, and the availability of assistance and services to assist members and dependents to understand and comply with these requirements.

“(2) The Secretary shall periodically conduct surveys of each military installation to determine the percentage of members of the armed forces and their dependents who are registered to vote and the number of absentee ballots cast by members of the armed forces and their dependents. The Secretary shall, to the maximum extent practicable, ensure that members of the armed forces and their dependents who are registered to vote, and who are eligible to vote, are notified of such opportunities to vote. The surveys conducted under this paragraph shall be conducted biennially. The Secretary shall ensure that the results of each survey are publicly available.

“(h) Delivery of Mail From Overseas Preceding Federal Elections.—(1) During the four months preceding a general Federal election, the Secretary of Defense shall conduct surveys of all overseas locations and vessels at sea with military units responsible for collecting mail for return to the United States and all port facilities in the United States and overseas where military-related mail is collected for shipment to overseas locations or to the United States. The purpose of each survey shall be to determine if voting materials are being transmitted at any such location and, if so, the length of time that such materials have been held at that location. During the fourth and third months before a general Federal election, surveys shall be conducted weekly. During the second and first months before a general Federal election, such surveys shall be conducted biweekly.

“(2) The Secretary shall ensure that voting materials are transmitted expeditiously by postal service personnel at all times. The Secretary shall, to the maximum extent practicable, implement measures to ensure that a postmark or other official proof of mailing date is provided on each absentee ballot collected at any overseas location or vessel at sea whenever the Department of Defense is responsible for collecting mail for return shipment to the United States. The Secretary shall, to the maximum extent practicable, implement measures to ensure that timely transmittal and postmarking of voting materials and identifying the persons responsible for implementing such measures.

“(3) The Secretary of each military department, using assistance provided by a network established for each military installation, shall, to the maximum extent practicable, provide notice to members of the armed forces stationed at that installation of the last date before a general Federal election for which absentee ballots mailed from a postal facility located at that installation can be accepted. The ballots which are accepted and delivered to the appropriate State and local election officials.

“(4) In this section, the term ‘general Federal election month’ means November in an even-numbered year.”

“(1) by inserting ‘(a) In General.—’’ before ‘‘Each State’’; and

“(2) by adding at the end the following new subsection:

“(b) Designation of Single State Office To Provide Information on Registration and Absentee Ballot Procedures for All Voters in State. Section 102 of the Uniformed and Overseas Citizens Absentee Voting Act (42 U.S.C. 1973ff-3) is amended—

“(1) by inserting ‘‘Each State’’ before ‘‘Each State’’; and

“(2) by adding at the end the following new subsection:

“(c) Recommendation Regarding Use of Office to Accept and Process Materials. The Secretary of Defense, in the case of each State office designated under paragraph (1) to be responsible for carrying out the State duties under this Act, including accepting voter registration applications, absentee ballot applications, and absentee ballots (including Federal write-in absentee ballots) from all uniformed services voters and overseas voters who wish to register to vote or vote in any jurisdiction in the State.

“(2) by adding at the end the following new paragraph:

“(3) The Secretary of Defense, in the case of each State office designated under paragraph (1) to be responsible for carrying out the State duties under this Act, including accepting voter registration applications, absentee ballot applications, and absentee ballots (including Federal write-in absentee ballots) from all uniformed services voters and overseas voters who wish to register to vote or vote in any jurisdiction in the State.”.

“SEC. 603. REPORT ON ABSENTEE BALLOTS TRANSMITTED AND RECEIVED AFTER GENERAL ELECTIONS. (a) In General.—Section 102 of the Uniformed and Overseas Citizens Absentee Voting Act (42 U.S.C. 1973ff-1), as amended by section 602, is amended by adding at the end the following new subsection:

“(b) by adding at the end the following new subsection:

“(c) Revision of Official Post Card Form.—(1) the official post card form (prescribed under section 101) by an absentee ballot by an absentee ballot of each subsequent election for Federal office held in the State during that year, the State shall provide an absentee ballot to the voter for each subsequent election for Federal office held in the State during that year.

“(2) by adding at the end the following new subsection:

“(c) by adding at the end the following new subsection:

“(d) Effect on Voter Removal Programs.—Nothing in this section may be construed to prevent a State from removing any voter from the rolls of registered voters in the State under any program or method permitted under section 8 of the National Voter Registration Act.

“SEC. 605. ADDITIONAL DUTIES OF PRESIDENTIAL DESIGNEE UNDER UNIFORMED AND OVERSEAS CITIZENS ABSENTEE VOTING ACT.

“(a) Educating Election Officials on Responsibilities Under Act.—Section 101(b)(1) -
of the Uniformed and Overseas Citizens Absen-
tee Voting Act (42 U.S.C. 1973ff(b)(1)) is amended by striking the semicolon at the end and inserting the following: “and ensuring that such mail, if mailed, is aware of the re-
quirements of this Act.”

(b) DEVELOPMENT OF STANDARD OATH FOR USE WITH MATERIALS

(1) IN GENERAL.—Section 101(b) of such Act (42 U.S.C. 1973ff(b)) is amended—

(A) by striking “and” at the end of para-
graph (5); and

(B) by striking the period at the end of paragraph (6) and inserting “; and”;

and

(C) by adding at the end the following new paragraph:

“(7) The President shall prescribe a standard oath for use with any document under this title affirming that a material misstatement of fact in the com-
pletion of such a document may constitute grounds for a conviction for perjury.”

(2) REQUIREMENTS TO USE STANDARD OATH.—Section 102(a) of such Act (42 U.S.C. 1973ff-1(a)), as amended by sections 603 and 605(a), is amended—

(A) by striking “and” at the end of para-
graph (3);

(B) by striking the period at the end of paragraph (4) and inserting “; and”;

and

(C) by adding at the end the following new paragraph:

“(5) The State shall require a signed oath or affir-
mation to accompany any document under this title, use the standard oath prescribed by the Presidential designate under section 101(b), and submit it to the Election Assistance Commission.”

(b) PROVIDING BREAKDOWN BETWEEN OVER-
SEAS VOTERS AND ABSENTEED UNIFORMED SER-
VICES VOTERS IN STATISTICAL ANALYSIS OF VOTER
PARTICIPATION.—Section 101(b)(6) of such Act (42 U.S.C. 1973ff(b)(6)) is amended by inserting after “participation” the following:

“(l) listed separately for overseas voters and absentee voters.”

TITLe VII—REDUCED POSTAGE RATES FOR
OFFICIAL ELECTION MAIL

SEC. 701. REDUCED POSTAGE RATES FOR OFFI-
CIAL ELECTION MAIL.

(a) IN GENERAL.—Section 3629 of title 39, United States Code, is amended to read as follows:

“§ 3629. Reduced rates for official election mail

“(a) Notwithstanding any other provision of this title, the rate of postage for any first-
class mail matter shall, in the case of official
election mail, be equal to 50 per cent of the
regular first-class rate, subject to sub-
section (c).

“(b) For purposes of this section, the term ‘official election mail’ means any mailing by a State or local election official that—

“(1) is mailed in the course of official busi-
ness;

“(2) consists of voter registration or elec-
tion information or assistance prepared and
mailed in a nonpartisan manner; and

“(3) bears such logo or other markings as the Postal Service may require.

“Such term includes mailings that includes any mail matter intended to pro-
gress government action unrelated to the
conduct of an election.

“(c) Nothing in this section shall, with re-
spect to any official election mail, be consid-
red to make unavailable—

“(1) any free mailing privilege under sec-
tion 3406 or any other provision of law for
which such mail otherwise qualifies; or

“(2) any reduced rate of postage under sec-
tion 2803(b) or any other provision of law for
which such mail otherwise qualifies, if lower
than the rate that would otherwise apply
under subsection (a).”

(b) TransFer of FUNCTIONs.—The table of
sections for chapter 36 of title 39, United States Code, is amended by striking the item
relating to section 3629 and inserting the fol-
lowing:

“§ 3629. Reduced rates for official election mail.”

TITLe VIII—TRANSITION PROVISIONs

Subtitle A—Transfer to Commission of
Functions Under Certain Laws

SEC. 801. FEDERAL ELECTION CAMPAIGN ACT OF
1971.

(a) Transfer of Functions of Office of
Election Administration of Federal Elec-
tion Commission.—There are transferred to the Election Assistance Commission estab-
lished under section 201 all functions which the Office of the Election Administration, established within the Federal Election Commission, exercised before the date of en-
actment of this Act.

(b) CONFORMING AMENDMENT.—Section
311(a) of the Federal Election Campaign Act of 1971 (2 U.S.C. 333(a)) is amended—

(1) in paragraph (4), by inserting “and” at the end;

(2) in paragraph (5), by striking “; and” and

inserting a period; and

(3) by striking paragraph (10) and the sec-
ond and third sentences.

SEC. 802. NATIONAL VOTER REGISTRATION ACT
OF 1993.

(a) Transfer of Functions.—There are trans-
ferred to the Election Assistance Com-
mission established under section 201 all func-
tions which the Federal Election Com-
mission exercised under the National Voter
Registration Act of 1993 before the date of
enactment of this Act.

(b) CONFORMING AMENDMENT.—Section
9(a) of the National Voter Registration Act of 1993 (42 U.S.C. 1973gg-7(a)) is amended by striking “Federal Election Commission” and inserting “Election Assistance Commis-
sion”.

SEC. 803. TRANSFER OF PROPERTY, RECORDS,
AND PERSONNEL.

(a) PROPERTY AND RECORDS.—The con-
tracts, liabilities, records, property, and
other assets and interests of, or made avail-
able in connection with, the offices and func-
tions of the Federal Election Commission which are transferred to the Election Assistance Com-
mission for appropriate allocation.

(b) PERSONNEL.—

(1) IN GENERAL.—The personnel employed in connection with the offices and func-
tions of the Federal Election Commission which are transferred to the Election Assistance Com-
mission are transferred to the Election Assistance Com-
mission.

(2) EFFECT.—Any full-time or part-time personnel employed in permanent positions
shall not be separated or reduced in grade or
compensation because of the transfer under this
subsection during the 1-year period begin-
ing on the date of the enactment of this Act.

SEC. 804. EFFECTIVE DATE; TRANSITION.

(a) EFFECTIVE DATE.—This title and the amendments made by this title shall take ef-
fect upon the appointment of all members of the Election Assistance Commission under
section 203.

(b) TRANSITION.—With the consent of the
entity involved, the Election Assistance Com-
mission is authorized to utilize the serv-
ices of such officers, employees, and other
personnel for such entities from which func-
tions have been transferred to the Election
Assistance Commission under this title or the
amendments made by this title for such time as the entity involved shall reasonably need to facilitate the orderly transfer of such functions.

Subtitle B—Coverage of Commission Under
Certain Laws and Programs

SEC. 811. TREATMENT OF COMMISSION PER-
SONNEL UNDER CERTAIN CIVIL SERVICE
Laws.

(a) Coverage Under Hatch Act.—Section
7323(b)(2)(B)(i)(1) of title 5, United States
Code, is amended by inserting “or the Elec-
tion Assistance Commission” after “Com-
mision.”

(b) Exclusion From Senior Execu-
TIVE SERVICE.—Section 3323(a)(2)(C) of title
5, United States Code, is amended by inserting “or the Election Assistance Commission” after “Commission.”

SEC. 812. COVERAGE UNDER INSPECTOR GEN-
ERAL ACT OF 1978.

(a) IN GENERAL.—Section 8A(a)(2) of the In-
spector General Act of 1978 (5 U.S.C. App.) is amended by inserting “or the Election
Assistance Commission” after “Federal Elec-
tion Commission.”

Effective Date.—The amendment made by subsection (a) shall take effect 180 days after the appointment of all members of the Election Assistance Commission under section 203.

TITLe IX—MISCELLANEOUS PROVISIONs

SEC. 901. STATE DEFINED.

In this Act, the term “State” includes the District of Columbia, the Commonwealth of Puerto Rico, Guam, American Samoa, and the United States Virgin Islands.

SEC. 902. MISCELLANEOUS PROVISIONs TO
PROTECT INTEGRITY OF ELECTION PROCESS.

(a) CLARIFICATION OF ABILITY OF ELECTION
OFFICIALS TO REMOVE REGISTRANTS FROM
OFFICIAL LIST OF VOTERS ON GROUNDS OF
CHANGE OF RESIDENCE.—Section 8(b)(2) of the National Voter Registration Act of 1993 (42 U.S.C. 1973gg-6(b)(2)) is amended by striking the period at the end of the follow-

“; except that nothing in this para-
graph may be construed to prohibit a State from using the procedures described in sub-
sections (c) and (d) to remove an individual
from the official list of eligible voters if the individual has not voted or appeared to vote in 2 or more consecutive general elections for Federal office and has not notified the applicable registrar (in person or in writing) or responded to a notice sent by the applica-
ble registrar during the period in which such elections are held that the individual intends to remain registered in the registrar’s juris-
diction.”

(b) PROHIBITING EFFORTS BY POLL WORKERS TO COERCe VOTERS TO CAST VOTES FOR
EVERY OFFICE ON BALLOT.—Section 591 of
title 18, United States Code, is amended—

(1) by striking “Whoever” and inserting

“(a) Whoever”; and

(2) by adding at the end the following new subsection:

“(b) For purposes of subsection (a), a poll
worker who urges or encourages a voter who has not cast a vote for each office listed on the ballot to return to the voting booth to cast votes for every office or otherwise intimidates, harasses, or coerces the voter to vote for each such office (or who attempts to intimidate, harass, or coerce the voter to vote for each such office), shall be considered to have intimidated, threatened, or coerced (or to have attempted to intimidate, threat-
en, or coerce) the voter for the purpose of
upsetting the voter’s right to vote as the voter may choose. Nothing in this sub-
section shall prohibit a poll worker from pro-
viding information to a voter who requests
such information.”

SEC. 903. NO EFFECT ON OTHER LAWS.

(a) IN GENERAL.—Nothing in this Act and no action taken pursuant to this Act shall be amended by inserting restriction on the Voting Rights Act of 1965, the
National Voter Registration Act of 1993, the

December 12, 2001

H9275

H12PT1

CONGRESSIONAL RECORD—HOUSE
TITLE I—PUNCH CARD VOTING MACHINES
Subtitle A—Replacement of Machines

SEC. 101. ESTABLISHMENT OF PROGRAM.

(a) IN GENERAL.—Not later than 30 days after the date of the enactment of this Act, the Administrator of General Services shall establish a program under which the Administrator shall make a one-time payment to each State or unit of local government which used a punch card voting system to administer the regularly scheduled general election for Federal office held in November 2000.

(b) USE OF FUNDS.—Each State or unit of local government shall use the funds provided under this subsection (either directly or as reimbursement) to replace its punch card voting system with a voting system that does not use punch cards (by purchase, lease, or such other arrangement as may be appropriate).

(c) DEADLINE.—(1) The Administrator shall establish a deadline for the use of funds provided under this subsection.

(2) The Administrator shall require any conduct which is prohibited by the Voting Rights Act of 1965, the National Voter Registration Act of 1993, or the Americans with Disabilities Act of 1990 to any State, unit of local government, or other person, or to grant to the Election Assistance Commission the authority to carry out activities inconsistent with such Acts.

The SPEAKER pro tempore. The amendment printed in the bill, modified by the amendment printed in House Report 107–331, is adopted.

The text of H.R. 3295, as amended, as modified, is as follows:

H.R. 3295

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

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the ‘‘Help America Vote Act of 2002.’’

(b) TABLE OF CONTENTS.—The table of contents for this Act is as follows:

TITLE I—PUNCH CARD VOTING MACHINES

Subtitle A—Replacement of Machines

Sec. 101. Establishment of program.

Sec. 102. Eligibility.

Sec. 103. Amount of payment.

Sec. 104. Audit and repayment of funds.

Sec. 105. Punch card voting system defined.

Subtitle B—Enhancing Performance of Existing Systems

Sec. 111. Establishment of program.

Sec. 112. Eligibility.

Sec. 113. Amount of payment.

Sec. 114. Audit and repayment of funds.

Subtitle C—General Provisions

Sec. 115. Authorization of appropriations.

Sec. 116. Punch card voting system defined.

TITLE II—COMMISSION

Subtitle A—Establishment and General Provisions

PART 1—ELECTION ASSISTANCE COMMISSION

Sec. 201. Establishment.


Sec. 203. Membership and appointment.

Sec. 204. Staff.

Sec. 205. Powers.

Sec. 206. Limitation on rulemaking authority.

Sec. 207. Authorization of appropriations.

PART 2—ELECTION ASSISTANCE COMMISSION STANDARDS BOARD AND BOARD OF ADVISORS

Sec. 211. Establishment.

Sec. 212. Duties.

Sec. 213. Membership of Standards Board.

Sec. 214. Membership of Board of Advisors.

Sec. 215. Powers of boards; no compensation for service.

Sec. 216. Statutes of boards and members for purposes of claims against board.

Subtitle B—Voluntary Election Standards

Sec. 221. Development of voluntary election standards.

Sec. 222. Technical standards development commission.

Sec. 223. Process for adoption of voluntary standards.

Sec. 224. Certification and testing of voting systems.

Sec. 225. Dissemination of information.

Subtitle C—Election Assistance Commission

PART 1—ELECTION FUND PAYMENTS TO STATES FOR VOTING SYSTEM IMPROVEMENTS

Sec. 231. Election fund payments to States for voting system improvements.

Sec. 232. Allocation of funds.

Sec. 233. Conditions of funds.

Sec. 234. Authorization of appropriations.

Sec. 235. Reports

PART 2—GRANTS FOR RESEARCH ON VOTING SYSTEM IMPROVEMENTS

Sec. 241. Grants for research on voting technology improvements.

Sec. 242. Report.

Sec. 243. Authorization of appropriations.

PART 3—PILOT PROGRAM FOR TESTING OF EQUIPMENT AND TECHNOLOGY

Sec. 251. Pilot program.

Sec. 252. Report.

Sec. 253. Authorization of appropriations.

PART 4—MISCELLANEOUS

Sec. 261. Role of National Institute of Standards and Technology.

Sec. 262. Reports.

Sec. 263. Audits.

TITLE III—HELP AMERICA VOTE COLLEGE PROGRAM

Sec. 301. Establishment of Program.

Sec. 302. Activities under Program.

Sec. 303. Authorization of appropriations.

TITLE IV—MINIMUM STANDARDS FOR STATE ELECTION SYSTEMS

Sec. 401. Help America Vote Foundation.

Sec. 402. Minimum standards for State election systems.

Sec. 403. Standards described.

Sec. 404. Enforcement.

Sec. 405. Effective date.

TITLE V—VOTING RIGHTS OF MILITARY MEMBERS AND OVERSEAS CITIZENS

Sec. 501. Use of buildings on military installations.


Sec. 503. Enforcement.

Sec. 504. Effective date.

Sec. 505. Additional duties of Presidential designee under the Americans With Disabilities Act.

Sec. 506. Use of buildings on military installations and reserve component facilities as polling places.

TITLE VII—TRANSITION PROVISIONS

Subtitle A—Transfer to Commission of Functions Under Certain Laws


Sec. 703. Transfer of property, records, and personnel.

Sec. 704. Effective date; transition.

Subtitle B—Coverage of Commission Under Certain Laws and Programs

Sec. 711. Treatment of Commission personnel under Federal employee and civil service laws.


TITLE VIII—MISCELLANEOUS PROVISIONS

Sec. 801. State defined.

Sec. 802. Minimum standards to protect integrity of election process.

Sec. 803. No effect on other laws.
the 2000 decennial census).

quartile of average per capita incomes for all
eral election held in November 2000; and
(1) the number of voting precincts adminis-
tered by the State or unit which used a punch
card voting system to carry out the general Fed-
eral election held in November 2000; and
(2) $6,000.
(b) APPLICABLE PER PRECINCT MATCHING RATE DEFINED.—In subsection (a), the “applica-
ble per precinct matching rate” is—
(1) 90 percent; or
(2) 95 percent, in the case of a precinct whose average per capita income is within the lowest
cartil of average per capita incomes for all
preincts in the United States (as determined by
the 2000 decennial census).

SEC. 104. AUDIT AND REPAYMENT OF FUNDS. (a) AUDIT.—Funds provided under the pro-
gram under this subtitle shall be subject to audit by
the Administrator.
(b) REPAYMENT FOR FAILURE TO MEET DEAD-
LINES.—If a State or unit of local government (as the case
may be) receives funds under the program under this subtitle fails to meet the
deadlines applicable to the State or unit under
section 101(c), the State or unit shall pay to the
Administrator an amount equal to the amount of
the funds provided to the State or unit under the
program.

SEC. 105. PUNCH CARD VOTING SYSTEM DEFINED. For purposes of this title, a “punch card
voting system” means any of the following vot-
ing systems:
(1) C.E.S.
(2) Datavote.
(3) PBC Counter.
(4) Pollstar.
(5) Punch Card.
(6) Vote Recorder.
(7) Votomatic.

Subtitle B—Enhancing Performance of Existing Systems

SEC. 111. ESTABLISHMENT OF PROGRAM. (a) IN GENERAL.—Not later than 30 days after
the date of the enactment of this Act, the Ad-
mnistrator shall establish a program under
which the Administrator shall make a one-time
payment to each eligible State or unit of local
government which used a punch card voting
system to administer the regularly scheduled
general election for Federal office held in No-
ember 2000, consisting of
(b) USE OF FUNDS.—A State or unit of local
government shall use the funds provided under a
payment under this subtitle (either directly or
as reimbursement) to make technical enhance-
ments to the performance of its punch card vot-
ing system (by any arrangement as may be ap-
propriate).

(c) DEADLINE.—
(1) IN GENERAL.—A State or unit of local gov-
ernment receiving a payment under the program
under this subtitle shall—
(A) obligate such funds as provided for the uses
described in subsection (b) not later than the
date of the regularly scheduled general election
for Federal office to be held in November 2002; and
(B) ensure that technical enhancements have
been made to the performance of all of the
punch card voting systems under its jurisdiction
in two years from the regularly scheduled general elec-
tion for Federal office to be held in November 2004.
(2) WAIVER.—If a State or unit of local gov-
ernment or the Election Assistance Commis-
sion (established under section 201) (not later
than the date of the regularly scheduled general
election for Federal office to be held in Novem-
ber 2002) with a notice that the State or unit
will not meet the deadlines described in para-
graph (1) and includes in the notice the reasons
for the failure to meet such deadlines, and the
Commission finds that there is good cause for
the failure to meet such deadlines, paragraph
(1) shall apply to the State or unit as if—
(A) the reference in paragraph (1)(A) to “No-
ember 2002” were a reference to “November
2004”; and
(B) the reference in paragraph (1)(B) to “No-
ember 2004” were a reference to “November
2006”.

SEC. 112. ELIGIBILITY. (a) STATES.—Subject to subsection (c), a State is
eligible to receive a payment under the pro-
gram under this subtitle if it submits to the Ad-
mnistrator an application not later than 120
days after the date of the enactment of this Act
(in such form as the Administrator may require)
which contains
(1) assurances that the State will use the pay-
ment (either directly or as reimbursement) to
make technical enhancements to the perform-
ance of punch card voting systems in jurisdic-
tions within the State which used such systems
to carry out the general Federal election held in
November 2000;
(2) assurances that in enhancing the perform-
ance of such voting systems the State will con-
tinue to meet its duties under the Voting Access-
ibility for the Elderly and Handicapped Act (42
U.S.C. 1973ee et seq.) and the Americans With
Disabilities Act; and
(3) such other information and assurances as
the Administrator may require which are nec-
cessary for the decision on the program.
(b) UNITS OF LOCAL GOVERNMENT.—Subject
to subsection (c), a unit of local government is eli-
gible to receive a payment under the program
under this subtitle if it submits to the Adminis-
trator—
(1) not later than the date of the regularly
scheduled general election for Federal office to
be held in November 2002, a statement of its in-
tent to participate in the program, including as-
surances that the State in which the unit is lo-
cated;
(A) failed to submit an application under sub-
section (a) within the deadline specified under
such subsection,
(B) is otherwise not eligible to receive a pay-
ment under the program, or
(C) will not use the payment to enhance the
performance of punch card voting systems in the
unit; and
(2) an application (at such time and in such
form as the Administrator may require) which
contains similar assurances to those required to
be provided to a State in its application under sub-
section (a).

(c) PROHIBITING PARTICIPATION IN PUNCH CARD REPLACEMENT PROGRAM.—A State or unit of local
government is not eligible to receive a payment under this subtitle if the State or unit receives a payment under the program under subtitle A.
shall select a chair and vice chair from among the members appointed by the Commission, the Executive Director, or the staff of the Commission. The chair shall serve for a term of 4 years. An Executive Director may be reappointed for additional terms.

(c) POSTAL SERVICES.—The Commission may contract with and compensate persons and Federal agencies for services provided to the Commission in the same manner and under the same conditions as other departments and agencies of the Federal Government. Upon the request of the Chair of the Commission, the Administrator of General Services shall provide to the Commission, on a reimbursable basis, the administrative support services that are necessary to enable the Commission to carry out its duties under this Act.

(d) CONTRACTS.—The Commission may contract with and compensate persons and Federal agencies for services provided to the Commission in the same manner and under the same conditions as other departments and agencies of the Federal Government. Upon the request of the Chair of the Commission, the Administrator of General Services shall provide to the Commission, on a reimbursable basis, the administrative support services that are necessary to enable the Commission to carry out its duties under this Act.

PART 2—ELECTION ASSISTANCE COMMISSION STANDARDS BOARD AND BOARD OF ADVISORS

SEC. 211. ESTABLISHMENT.

There are hereby established the Election Assistance Commission Standards Board (hereafter in this title referred to as the “Standards Board”) and the Election Assistance Commission Board of Advisors (hereafter in this title referred to as the “Board of Advisors”).
voluntary engineering and procedural performance standards described in section 221(a)(1), any of the voluntary standards described in section 221(a)(4), and any of the voluntary election management standards described in section 221(a)(6) (and any modifications to such standards) which are recommended by the Commission under subtitle B.

SEC. 212. MEMBERSHIP OF STANDARDS BOARD.

(a) COMPOSITION.—

(1) IN GENERAL.—Subject to certification by the chair of the Federal Election Commission under subsection (b), the Standards Board shall be composed of 110 members as follows:

(A) not more than 5 may be State election officials; and

(B) not more than 5 may be local election officials selected in accordance with paragraph (2).

(2) LIST OF LOCAL ELECTION OFFICIALS.—Each State’s local election officials shall select (under a process supervised by the chief election official of the State) a representative local election official from the State for purposes of paragraph (1)(B) in the case of the District of Columbia, Guam, and American Samoa, the chief election official shall establish a procedure for selecting an individual to serve as a local election official for purposes of paragraph (1)(B) except that under such a procedure the individual selected may not be a member of the same political party as the chief election official.

(3) REPRESENTATION OF POLITICAL PARTIES REPRESENTED.—The 2 members of the Standards Board who represent the same State may not be members of the same political party.

(b) PROCEDURES FOR NOTICE AND CERTIFICATION OF APPOINTMENT.—

(1) NOTICE TO CHAIR OF FEDERAL ELECTION COMMISSION.—Not later than 90 days after the date of enactment of this Act, the chair of the Federal Election Commission shall transmit to the Standards Board a list of all the State election officials selected under paragraph (1)(B) and the name of the representative local election official from the State selected under subsection (a). The Standards Board shall review such list and inform the chair of any errors.

(2) REVIEW OF LIST.—The Standards Board shall review the list submitted under paragraph (1) not later than 60 days after the date of receipt of the list and notify the chair of any errors or omissions.

(3) SCHEDULE.—The Standards Board shall make its final determination of the composition of the Standards Board not later than 90 days after the date of enactment of this Act.

(4) ROLE OF COMMISSION.—Upon the appointment of the Standards Board, the Commission shall carry out the duties of the Federal Election Commission under subsection (c).

(5) REPRESENTATIVE OF LOCAL ELECTION OFFICIALS.—The Standards Board shall provide for the election of a representative of local election officials from each State to serve on the Standards Board.

(c) TERMS.—The Standards Board shall consist of 110 members as follows:

(A) 25 members appointed by the State election officials of each State; and

(B) 55 shall be local election officials selected by the chief election official of the State. The chief election official of the State will be responsible for selecting the local election official from the State under subsection (a).

(d) COMPENSATION.—The members of the Standards Board shall serve without compensation for their service, but shall be paid their necessary travel expenses, including per diem in lieu of subsistence, at rates authorized by law for employees of the United States, while away from their homes or regular places of business in the performance of official duties.

SEC. 213. POWERS OF BOARDS; NO COMPENSATION FOR CLAIMS AGAINST BOARD.

(a) IN GENERAL.—The provisions of chapters 161 and 171 of title 28, United States Code, shall apply with respect to the liability of the Standards Board, the Board of Advisors, and their members for acts or omissions performed pursuant to and in the course of the duties and responsibilities of a board.

(b) EXCEPTION FOR CRIMINAL ACTS AND OTHER WILLFUL CONDUCT.—Subsection (a) shall not apply with respect to the liability of a member of the Standards Board or the Board of Advisors for acts or omissions performed pursuant to and in the course of the duties and responsibilities of a board.

Subtitle B—Voluntary Election Standards

SEC. 221. DEVELOPMENT OF VOLUNTARY ELECTION STANDARDS.

(a) IN GENERAL.—The Commission shall:

(1) in accordance with section 223, develop through the Executive Director of the Commission, the Standards Board, the Board of Advisors, and their members for acts or omissions performed pursuant to and in the course of the duties and responsibilities of a board.

(b) EXCEPTION FOR CRIMINAL ACTS AND OTHER WILLFUL CONDUCT.—Subsection (a) shall not apply with respect to the liability of a member of the Standards Board or the Board of Advisors for acts or omissions performed pursuant to and in the course of the duties and responsibilities of a board.
(D) New voting equipment systems certified by either the Federal government or by any State should provide a practical and effective means for voters with physical disabilities including blind and visually impaired voters to cast a ballot.

(2) Maintain a clearinghouse of information on the experiences of State and local governments in implementing voluntary standards described in paragraph (1) and in operating voting systems in general.

(3) In accordance with section 224, provide for the voluntary testing, certification, decertification, and recertification of voting systems.

(4) Advise States and units of local government regarding compliance with the requirements for Voting Accessibility for the Elderly and Handicapped Act (42 U.S.C. 1973ee et seq.) and compliance with other Federal laws regarding accessibility of registration facilities and polling places. Additionally, in accordance with section 223, the Commission shall develop (through the Executive Director of the Commission), adopt, and update (not less often than every 4 years thereafter) voluntary standards for maintaining and enhancing the accessibility and privacy of registration facilities, polling places, and voting methods with the goal of promoting for all individuals, including the elderly and individuals with disabilities including blindness, the accessibility of polling places and the electronic voting systems and voting equipment which provide the opportunity for casting a secret and secret ballot, and shall include in such standards voluntary guidelines regarding accessibility and ease-of-use of State, county, and cities of local government to use when obtaining voting equipment and selecting polling places. In carrying out this paragraph, the Commission shall work with the Architectural and Transportation Barrier Compliance Board under section 502 of the Rehabilitation Act of 1973 (29 U.S.C. 792) and other individuals and entities to establish the accessibility of facilities for individuals with disabilities.

(5) Make periodic studies available to the public on administration of issues described in subsection (b), with the goal of promoting methods of voting and administering elections which:

(A) will be the most convenient, accessible, and easy to use for voters, including members of the uniformed services, blind and disabled voters, and voters with limited English proficiency;

(B) will ensure an accurate, secure, and expeditious system for voting and tabulating election results;

(C) will be nondiscriminatory and afford each registered and eligible voter an equal opportunity to vote; and

(D) will be efficient and cost-effective for use.

(6) To conduct a 2-year study (through the Executive Director of the Commission), adopt, and update (not less often than every 4 years) voluntary election management practice standards for State and local election officials to maintain and enhance the administration of Federal elections, including standards developed in consultation with the Secretary of Defense with respect to the interest of absent uniformed services voters (as defined in section 107(1) of the Uniformed and Overseas Citizens Absentee Voting Act) and overseas voters (as defined in section 107(1) of such Act) which will include provisions to address each of the following:

(A) The rights of residence of uniformed services voters absent due to military orders.

(B) The rights of absent uniformed services voters and overseas voters to register to vote and cast absentee ballots.

(C) The rights of absent uniformed services voters and overseas voters to submit absentee ballot applications early during an election year.

(D) The appropriate pre-election deadline for mailing absentee ballots to absent uniformed services voters.

(E) The appropriate minimum period between the mailing of absentee ballots to absent uniformed services voters and overseas voters and the deadline for receipt of such ballots.

(F) The timely transmission of balloting materials to absent uniformed services voters and overseas voters.

(G) Security and privacy concerns in the transmission, receipt, and processing of ballots from absent uniformed services voters and overseas voters, including the need to protect against fraud.

(H) The use of a single application by absent uniformed services voters and overseas voters for absentee ballots for all Federal elections occurring during a year.

(I) The use of a single application by absent uniformed services voters and overseas voters for absentee ballots for all Federal elections occurring during a year.

(J) The use of facsimile machines and electronic means of transmission of absentee ballot applications to absent uniformed services voters and overseas voters.

(K) Other issues related to the rights of absent uniformed services voters and overseas voters to participate in elections.

(7) Carry out the provisions of section 9 of the National Voter Registration Act of 1993 (42 U.S.C. 1973gg–p) regarding mail voter registration.

(8) Make information on the Federal election system available to the public and the media.

(9) At the request of State officials, assist such officials in identifying by absent uniformed services voters and overseas voters by absent uniformed services voters and overseas voters to participate in elections.

(10) Maintain a clearinghouse of information concerning issues relating to Federal, State, and local elections.

(b) ELECTION ADMINISTRATION ISSUES DESCRIBED.—The election administration issues described in subsection (a) are as follows:

(1) Current and alternate methods and mechanisms of voting and counting votes in elections for Federal office.

(2) Current and alternate ballot designs for elections for Federal office.

(3) Current and alternate methods of voter registration, maintaining secure and accurate voter registration lists, and the establishment of a centralized, interactive, statewide voter registration list linked to relevant agencies and all polling sites, and ensuring that all registered voters can be placed on the polling list at the appropriate polling site.

(4) Current and alternate methods of conducting provisional voting.

(5) Current and alternate methods of ensuring the accessibility of voting, registration, polling places, and voting equipment to all voters, including disabled voters and voters with limited English proficiency.

(6) Current and alternate methods of voter registration for members of the uniformed services and overseas voters, and methods of ensuring that such uniformly handled and counted.

(7) Current and alternate methods of recruiting and improving the performance of poll workers.

(8) Federal and State laws governing the eligibility of persons to vote.

(9) Current and alternate methods of educating voters about the process of registering to vote and voting, the operation of voting mechanisms, the location of polling places, and all other aspects of participating in elections.

(10) Matters particularly relevant to voting and administering elections in rural and urban areas.

(11) Conducting elections for Federal office on different days, at different places, and during different hours, including the advisability of establishing a uniform poll closing time.

(12) The ways that the Federal Government can best assist State and local authorities to implement the Secretary of Defense's official and what levels of funding would be necessary to provide such assistance.

(13) CONSENTUAL ARRANGEMENTS.—The Commission shall assist the Executive Director of the Commission in the development of voluntary standards under this subtitle by recommending standards (and modifications to standards) to ensure the usability, accuracy, security, accessibility, and integrity of voting systems and voting equipment.

(2) DEADLINE FOR INITIAL SET OF RECOMMENDATIONS.—The Development Committee shall provide its first set of recommendations within 30 days of the date the Executive Director of the Commission makes its first set of recommendations under this subsection. The Development Committee shall provide its first set of recommendations under this subsection no later than 9 months after all of its members have been appointed.

(c) MEMBERSHIP.—

(1) IN GENERAL.—The Development Committee shall be composed of the Director of the National Institute of Standards and Technology (who shall serve as its chair), together with a group of 14 other individuals appointed jointly by the Commission and the Director of the National Institute of Standards and Technology, consisting of the following:

(A) An equal number of each of the following:

(i) Members of the Standards Board.

(ii) Members of the Board of Advisors.


(B) A representative of the American National Standards Institute.

(C) Other individuals with technical and scientific expertise relating to voting systems and voting equipment.

(2) QUORUM.—A majority of the members of the Development Committee shall constitute a quorum, except that the Development Committee shall have the power to transact any business prior to the appointment of all of its members.

(d) NO COMPENSATION FOR SERVICE.—Members of the Development Committee shall not receive any compensation for their service, but shall be paid travel expenses, including per diem in lieu of subsistence, at rates authorized for employees of agencies under subchapter I of chapter 57 of title 5, United States Code, while away from their homes or regular places of business in the performance of services for the Development Committee.

(e) TECHNICAL SUPPORT FROM NATIONAL INSTITUTE OF STANDARDS AND TECHNOLOGY.—At the request of the Development Committee, the Director of the National Institute of Standards and Technology shall provide the Development Committee with technical support necessary for the Development Committee to carry out its duties under this subtitle.

(f) PUBLICATION OF RECOMMENDATIONS.—In Federal Register.—At the time the Commission adopts any standard pursuant to section 223, the Development Committee shall cause to have published in the Federal Register the recommendations it provided under this section to the Executive Director of the Commission concerning the standard adopted.
SEC. 223. PROCESS FOR ADOPTION OF VOLUNTARY STANDARDS.

(a) CONSIDERATION OF RECOMMENDATIONS OF DEVELOPMENT COMMITTEE.—In considering voluntary standards and modifications for purposes of this section, the Executive Director of the Commission shall take into consideration the recommendations of the Standards Board developed by the Technical Standards Development Committee under section 222.

(b) BOARD OF ADVISORS.—The Executive Director of the Commission shall submit each of the voluntary engineering and procedural performance standards (described in section 221(a)), each of the voluntary standards described in section 221(a)(4), and each of the voluntary management practice standards (described in section 221(a)(6)) developed by the Executive Director (or any modifications to such standards) to the Board of Advisors.

(c) STANDARDS BOARD.—The Executive Director of the Commission shall submit each of the voluntary engineering and procedural performance standards (described in section 221(a)(1)), each of the voluntary standards described in section 221(a)(4), and each of the voluntary management practice standards (described in section 221(a)(6)) developed by the Executive Director of the Standards Board, who shall review the standard (or modification) and forward its recommendations to the Standards Board.

(d) REVIEW.—Upon receipt of a voluntary standard described in subsection (a) (or modification of such a standard) from the Executive Director of the Commission, the Board of Advisors and the Standards Board shall each review and submit comments and recommendations regarding the standard (or modification) to the Commission.

(e) FINAL APPROVAL.—

(1) IN GENERAL.—A voluntary standard described in subsection (a) (or modification of such a standard) shall not be considered to be finally adopted by the Commission unless the majority of the members of the Commission vote to approve the final adoption of the standard (or modification), taking into consideration the comments and recommendations submitted by the Board of Advisors and the Standards Board under subsection (a).

(2) MINIMUM PERIOD FOR CONSIDERATION OF COMMENTS AND RECOMMENDATIONS.—The Commission may not vote on the final adoption of a voluntary standard described in subsection (a) (or modification of such a standard) until the expiration of the 90-day period which begins on the date the Executive Director of the Commission submits the standard (or modification) to the Board of Advisors and the Standards Board.

SEC. 224. CERTIFICATION AND TESTING OF VOTING SYSTEMS:

(a) CERTIFICATION AND TESTING.—(1) IN GENERAL.—The Commission shall provide for the testing, certification, decertification, and recertification of voting system hardware and software by accredited laboratories.

(2) OPTIONAL USE BY STATES.—At the option of a State, the State may provide for the testing, certification, decertification, or recertification of its voting system hardware and software by the laboratories accredited by the Commission under this section.

(b) LABORATORY ACCREDITATION.—

(1) RECOMMENDATIONS BY NATIONAL INSTITUTE OF STANDARDS AND TECHNOLOGY.—Not later than 180 days after the Commission first adopts any voluntary standards and processes which (at a minimum) require that new voting mechanisms have the standards and processes which (at a minimum) ensure that new voting mechanisms have the

(2) OTHER ACTIVITIES TO IMPROVE THE ADMINISTRATION OF ELECTIONS IN THE STATE.

(c) ADOPTION OF COMMISSION STANDARDS NOT REQUIRED TO RECEIVE PAYMENT.—Nothing in this section shall be construed to require the State to implement any of the voluntary standards adopted by the Commission with respect to any matter as a condition for receiving an Election Fund payment.

(d) SCHEDULE OF PAYMENTS.—As soon as practicable after all members of the Commission have voted, but not later than 6 months thereafter, and not less frequently than once each calendar year thereafter, the Commission shall make Election Fund payments to States which meet the requirements described in section 223(c).

SEC. 232. ALLOCATION OF FUNDS.

(a) IN GENERAL.—Subject to subsection (c), the amount of an Election Fund payment made to a State for a year shall be equal to the product of—

(1) the total amount appropriated for Election Fund payments for the year under section 234; and

(2) the State allocation percentage for the State (as determined under subsection (b)).

(b) STATE ALLOCATION PERCENTAGE DEFINITION.—The term ‘‘state allocation percentage’’ for a State is the amount (expressed as a percentage) equal to the quotient of—

(1) the voting age population of the State; and

(2) the total voting age population of all States.

(c) MINIMUM AMOUNT OF PAYMENT.—The amount of an Election Fund payment made to a State for a year may not be less than—

(1) in the case of any of the several States or the District of Columbia, 1/2 of 1 percent of the total amount appropriated for Election Fund payments for the year under section 234; and

(2) in the case of the Commonwealth of Puerto Rico, Guam, American Samoa, or the United States Virgin Islands, 20 percent of the amount described in paragraph (1).

(d) CONTINUING AVAILABILITY OF FUNDS AFTER APPROPRIATION.—An Election Fund payment made to a State under this part shall be available to the State without fiscal year limitation.

SEC. 233. CONDITIONS FOR RECEIPT OF FUNDS.

(a) IN GENERAL.—In order to receive an Election Fund payment for a fiscal year, the chief State election official of the State shall provide the Commission with the following certifications:

(1) A certification that the State has authorized and appropriated funds for carrying out the activities for which the Election Fund payment is made in an amount equal to 25 percent of the total amount to be expended by the State for all activities (taking into account the Election Fund payment and the amount spent by the State).

(2) A certification that the State has set a uniform statewide benchmark for voting system performance in each local jurisdiction administering elections, expressed as a percentage of residual vote in the contest at the top of the ballot, and requires local jurisdictions to report data relevant to this benchmark after each general election for Federal office.

(3) A certification that the State is in compliance with the voluntary voting system standards and certification processes adopted by the Commission or that the State has enacted legislation establishing its own State voting system standards and processes which (at a minimum) ensure that new voting mechanisms have the audit capacity to produce a record for each ballot cast.

(4) A certification that—

(A) In each precinct or polling place in the State, there is at least one voting system available which is fully accessible to individuals with physical disabilities including blindness; and

(B) If the State uses any portion of its Election Fund payment to obtain new voting machines, at least one voting machine in each polling place in the State will be fully accessible to individuals with physical disabilities, including blindness.

(5) A certification that the State has established a program for the purpose of administering its activities under this part.

(7) A certification that the State provides for voter education and poll worker training programs to improve access to and participation in the election process, and provides voter training programs to improve the requirements of the National Voter Registration Act of 1993 for personnel of State motor vehicle authority offices and other voter registration offices designated by the State under such act.

(8) A certification that the Election Fund payment has not and will not supplant funds provided under existing programs funded in the State for carrying out the activities for which the Election Fund payment is made.

(b) REQUIREMENTS FOR ELECTION FUND.—

(1) ELECTION FUND DESCRIBED.—For purposes of subsection (a)(5), a fund described in this subsection with respect to a State is a fund which is established in the treasury of the State government, which is used in accordance with paragraph (2), and which consists of the following amounts:

(A) Amounts appropriated or otherwise made available by the State for carrying out the activities for which the Election Fund payment is made to the State under this part.

(B) A federal Election Fund payment made to the State under this part.

(C) Such other amounts as may be appropriated under law.

(D) Amounts earned on deposits of the fund.

(2) USE OF FUND.—Amounts in the fund shall be used by the State exclusively to carry out the activities for which the Election Fund payment is made to the State under this part.

(c) METHODS OF COMPLIANCE LEFT TO DISCRETION OF STATE.—The specific choices on the methods of complying with the requirements described in subsection (a) shall be left to the discretion of the State.

(d) CHIEF STATE ELECTION OFFICIAL DESIGNATED.—In this subtitle, the ‘‘chief State election official’’ of a State is the individual designated by the State under section 10 of the National Voter Registration Act of 1993 (42 U.S.C. 1973aa–8) to perform or coordinate the requirements described in subsection (a) of this section.

SEC. 234. AUTHORIZATION OF APPROPRIATIONS.

There are authorized to be appropriated for Election Fund payments under this part an amount equal to $2,250,000,000 for fiscal years 2002 through 2004.

SEC. 235. REPORTS.

Not later than the 6 months after the end of each fiscal year for which a State received an Election Fund payment under this part, the State shall submit a report to the Commission on the activities conducted with the funds provided during the year, and shall include in the report—

(1) a list of expenditures made with respect to each category of activities described in section 232(b)(1);

(2) the number and types of articles of voting equipment obtained with the funds.

PART 2—GRANTS FOR RESEARCH ON VOTING TECHNOLOGY IMPROVEMENTS

SEC. 241. GRANTS FOR RESEARCH ON VOTING TECHNOLOGY IMPROVEMENTS.

(a) IN GENERAL.—The Commission shall make grants to assist entities in carrying out research and development to improve the quality, reliability, accuracy, accessibility, affordability, and security of voting equipment, election systems, and voting technology.

(b) ELIGIBILITY.—An entity is eligible to receive a grant under this part if it submits to the Commission (at such time and in such form as the Commission may require) an application containing—

(1) assurances that the research and development funded with the grant will take into account the need to make voting equipment accessible for individuals with disabilities (including blind individuals), the need to ensure that such individuals can vote independently and with reasonable accommodation after reading or using voting machines, the need to make voting equipment accessible to individuals with limited proficiency in the English language (consistent with the requirements of the Voting Rights Act of 1965); and

(2) such other information and assurances as the Commission may require.

(c) APPLICATIONS TO GOVERN PATENT RIGHTS IN INVENTIONS MADE WITH FEDERAL ASSISTANCE.—Any invention made by the recipient of a grant under this part using funds provided under this part shall be subject to chapter 10 of title 35, United States Code (relating to patent rights in inventions made with Federal assistance).

SEC. 242. REPORT.

(a) IN GENERAL.—Each entity which receives a grant under this part shall submit to the Commission, Congress, and the President a report describing the activities carried out with the funds provided under this part.

(b) DEADLINE.—An entity shall submit a report required under subsection (a) not later than 60 days after the end of the fiscal year for which the entity received the grant which is the subject of the report.

SEC. 243. AUTHORIZATION OF APPROPRIATIONS.

There are authorized to be appropriated for grants under this part $20,000,000 for fiscal year 2002.

PART 3—PILOT PROGRAM FOR TESTING OF EQUIPMENT AND TECHNOLOGY

SEC. 251. PILOT PROGRAM.

(a) IN GENERAL.—The Commission shall make grants to carry out pilot programs under which new technologies in voting systems and equipment are implemented on a trial basis.

(b) ELIGIBILITY.—An entity is eligible to receive a grant under this part if it submits to the Commission (at such time and in such form as the Commission may require) an application containing—

(1) assurances that the pilot programs funded with the grant will take into account the need to make voting equipment fully accessible for individuals with limited proficiency in the English language (consistent with the requirements of the Voting Rights Act of 1965); and

(2) such other information and assurances as the Commission may require.

(c) METHODS OF COMPLIANCE LEFT TO DISCRETION OF STATE.—The specific choices on the methods of complying with the requirements described in subsection (a) shall be left to the discretion of the State.

(d) CHIEF STATE ELECTION OFFICIAL DESIGNATED.—In this subtitle, the ‘‘chief State election official’’ of a State is the individual designated by the State under section 10 of the National Voter Registration Act of 1993 (42 U.S.C. 1973aa–8) to perform or coordinate the requirements described in subsection (a) of this section.

SEC. 252. REPORT.

(a) IN GENERAL.—Each entity which receives a grant under this part shall submit to the Commission, Congress, and the President a report describing the activities carried out with the funds provided under the grant.

(b) DEADLINE.—An entity shall submit a report required under subsection (a) not later than 60 days after the end of the fiscal year for which the entity received the grant which is the subject of the report.

SEC. 253. AUTHORIZATION OF APPROPRIATIONS.

There are authorized to be appropriated for grants under this part $10,000,000 for fiscal year 2002.

PART 4—MISCELLANEOUS

SEC. 261. ROLE OF NATIONAL INSTITUTE OF STANDARDS AND TECHNOLOGY.

(a) RECOMMENDATION OF TOPICS FOR RESEARCH UNDER VOTING RESEARCH GRANTS AND GRANTS UNDER PART 2.—The National Institute of Standards and Technology (hereafter in this section referred to as the ‘‘Director’’) shall submit to the Commission an annual list of the Director’s suggestions for issues which may be the subject of research funded with grants awarded under part 2 and part 3 during the previous fiscal year.

(b) REVIEW OF GRANT APPLICATIONS RECEIVED BY COMMISSION.—The Commission shall submit each application it receives for a grant under part 2 or part 3 to the Director, who shall review the application and provide the Commission with such comments as the Director considers appropriate.

(c) MONITORING AND ADJUSTMENT OF GRANT ACTIVITIES.—After the Commission has awarded a grant under part 2 or part 3, the Director shall monitor the grant and (to the extent permitted by the terms of the grant and (to the extent permitted by the terms of the grant and any limitations specified in such terms) may recommend to the Commission that the recipient of the grant modify and adjust the activities carried out under the grant.

(d) EVALUATION OF COMPLETED GRANTS.—

(1) IN GENERAL.—After the receipt of a grant awarded by the Commission has completed the terms of the grant, the Director shall prepare and submit to the Commission an evaluation of the grant and the activities carried out under the grant.

(2) INCLUSION IN REPORTS.—The Commission shall include the evaluations submitted under paragraph (1) for a year in the report submitted for the year under section 262.

SEC. 262. REPORTS.

(a) ANNUAL REPORTS ON ACTIVITIES.—Not later than 90 days after the end of each fiscal year, the Commission shall submit a report to the Committee on House Administration of the House of Representatives and the Committee on Rules and Administration of the Senate on the activities carried out by the Commission under this subtitle during the previous fiscal year, and shall include in the report a description of all applications for Election Fund payments and grants received by the Commission during the year under this subtitle and the disposition of such applications.

(b) REPORT ON HUMAN FACTOR RESEARCH.—Not later than the end of the fiscal year after the date of the enactment of this Act, the Commission, in consultation with the Director of the National Institute of Standards and Technology, shall submit a report to Congress which assesses the areas of human factor research, including usability engineering and human-computer and human-machine interaction, which feasibly could be applied to voting products and systems designed to ensure the usability and accuracy of voting products and systems, including methods to improve access for individuals with disabilities including blindness and varying levels of literacy; and

(5) remote access voting, including voting through the Internet.

SEC. 263. AUDIT.

(a) ANNUAL REPORTS ON ACTIVITIES.—Not later than 90 days after the end of each fiscal year, the Commission shall submit a report to the Committee on House Administration of the House of Representatives and the Committee on Rules and Administration of the Senate on the activities carried out by the Commission under this subtitle during the previous fiscal year, and shall include in the report a description of all applications for Election Fund payments and grants received by the Commission during the year under this subtitle and the disposition of such applications.

(b) REPORT ON HUMAN FACTOR RESEARCH.—Not later than the end of the fiscal year after the date of the enactment of this Act, the Commission, in consultation with the Director of the National Institute of Standards and Technology, shall submit a report to Congress which assesses the areas of human factor research, including usability engineering and human-computer and human-machine interaction, which feasibly could be applied to voting products and systems designed to ensure the usability and accuracy of voting products and systems, including methods to improve access for individuals with disabilities including blindness and varying levels of literacy; and

(5) remote access voting, including voting through the Internet.

(c) AUDIT.—The Commission shall annually audit the elections conducted under this Act, including an audit of the voting equipment used in such elections. The Commission shall submit a report to Congress, the Committee on House Administration of the House of Representatives and the Committee on Rules and Administration of the Senate, and the Committees on Appropriations of each House of Congress, for each fiscal year, with respect to an audit of the elections conducted under this Act.
TITLE III—HELP AMERICA VOTE COLLEGE PROGRAM

SEC. 301. ESTABLISHMENT OF PROGRAM.

(a) IN GENERAL.—Not later than 1 year after the appointment of its members, the Election Assistance Commission shall develop a program to be known as the “Help America Vote College Program” (hereafter in this title referred to as the “Program”).

(b) PURPOSES OF PROGRAM.—The purpose of the Program shall be—

(1) to encourage State and local governments to use the services of the students participating in the Program.

(2) to engage in advertising targeted at students enrolled at institutions of higher education (including community colleges) to participate in the Program.

(3) to mobilize secondary school students (including students educated in the home) in the United States to participate in the election process in a nonpartisan manner as poll workers or assistants.

(4) to develop materials, sponsor seminars and workshops, engage in advertising targeted at students, make grants, and take such other actions as it considers appropriate to meet the purposes described in paragraphs (1) through (3).”

(b) REQUIRE ACTIVITIES TO BE CARRIED OUT ON NONPARTISAN BASIS.—The purposes without partisan bias or without promoting any particular point of view regarding any issue, and shall encourage institutions of higher education, and other nonprofit charitable and educational organizations exempt from taxation under section 501(a) of the Internal Revenue Code of 1986 as an organization described in section 501(c)(3) of such Code to further the purposes of the foundation.

(c) CONSULTATION WITH STATE ELECTION OFFICIALS.—The foundation shall carry out its purposes in a balanced manner which does not reflect any partisan bias.

(d) AUTHORIZATION OF APPROPRIATIONS.

The foundation may carry out its purposes through joint programs with the chief election officers of the States, the District of Columbia, the Commonwealth of Puerto Rico, Guam, American Samoa, and the United States Virgin Islands.

§152603. Board of directors.

(a) GENERAL.—The board of directors is the governing body of the foundation.

(b) MEMBERS AND APPOINTMENT.—(1) The board consists of 12 directors, who shall be appointed not later than 90 days after the effective date of this chapter. The president of the United States by and with the advice and consent of the Senate may appoint any current or former officer of any national committee of a political party.

(2) The number of directors may be increased or decreased by the President by and with the advice and consent of the Senate.

(3) The terms of office of the directors are 4 years.

(4) To carry out its purposes, the foundation has the usual powers of organization and management.

(5) The officers of the directors shall be the chair and ranking minority member of the Committee on House Administration of the House of Representatives (or their designees) and the chair and ranking minority member of the Committee on Rules and Administration of the Senate (or their designees) shall each serve as an ex officio nonvoting member of the board.

(6) A director is not an employee of the Federal government or the United States government, or a candidate for any office in the United States, or a member of the board.

(7) The members of the board shall hold their official positions for the term of their office, and subsequent terms of office shall be for terms of 4 years.

(8) A vacancy on the board shall be filled in the manner in which the original appointment was made.

(9) The chair and the ranking minority member of the Committee on House Administration of the House of Representatives (or their designees) and the chair and ranking minority member of the Committee on Rules and Administration of the Senate (or their designees) shall each serve as an ex officio nonvoting member of the board.

(c) CHAIR.—The directors shall select one of the directors as the chair of the board. The individual selected may not be a current or former holder of any partisanship or position in a political party.

(d) QUORUM.—The number of directors constituting a quorum of the board shall be established under the bylaws of the foundation.

(e) MEETINGS.—The board shall meet at the call of the chair of the board for regularly scheduled meetings, and accept a call of the board shall meet not less often than annually.

(f) REIMBURSEMENT OF EXPENSES.—Directors shall serve without compensation but may receive reasonable expenses, including per diem in lieu of subsistence, in accordance with sections 5702 and 5703 of title 5.

(g) LIABILITY OF DIRECTORS.—Directors are not personally liable, except for gross negligence.

§152604. Officers and employees.

(a) APPOINTMENT OF OFFICERS AND EMPLOYEES.—The board of directors appoints, removes, and replaces officers and employees of the foundation.

(b) STATUS AND COMPENSATION OF EMPLOYEES.—(1) In general.—Officers and employees of the foundation—

(A) are not employees of the Federal government (except as may otherwise be provided in this chapter);

(B) shall be appointed and removed without regard to the provisions of title 5 governing appointments in the competitive service; and

(C) may be paid without regard to chapter 51 and subchapter III of chapter 53 of title 5.

(2) AVAILABILITY OF FEDERAL EMPLOYEE RETIREMENT SYSTEM TRAVEL.—For purposes of any scheduled rates negotiated by the Administrator of General Services for the use of employees of the Federal government who travel on official business, officers and employees of the foundation who travel while engaged in the performance of their duties under this chapter shall be deemed to be employees of the Federal government.

§152605. Powers and authority.

(a) GENERAL.—The foundation may—

(1) adopt a constitution and bylaws;

(2) adopt a seal which shall be judicially notice; and

(3) do any other act necessary to carry out this chapter.

(b) POWERS AS TRUSTEE.—To carry out its purposes, the foundation has the usual powers of a corporation as a trustee of the District of Columbia, including the power—

(1) to accept, receive, solicit, hold, administer, and use any gift, devise, or bequest, either absolutely or in trust, on behalf of the United States; and

(2) to acquire property or an interest in property by purchase or exchange;

(3) unless otherwise required by an instrument of transfer, to sell, donate, lease, invest, or otherwise dispose of any property or income from property;

(4) to borrow money and issue instruments of indebtedness;

(5) to make contracts and other arrangements with public agencies and private organizations and persons and to make payments necessary to carry out its functions;

(6) to sue and be sued; and

(7) to do any other act necessary and proper to carry out the purposes of the foundation.

(c) ENCUMBERED OR RESTRICTED GIFTS.—A gift, devise, or bequest may be accepted by the foundation even though it is encumbered, restricted, or subject to beneficial interests of private persons, if any current or future interest is for the benefit of the foundation.

(d) CONTRACTS.—The foundation may enter into such contracts with public and private entities as it considers appropriate to carry out its purposes.

§152601. Organization.

(a) GENERAL.—The Help America Vote Foundation (in this chapter, the “foundation”) is a federally chartered corporation.

(b) NATURE OF FOUNDATION.—The foundation is a charitable and nonprofit corporation and is not an agency or establishment of the United States Government.

(c) FEEDBACK AND EXISTENCE.—Except as otherwise provided, the foundation has perpetual existence.

(1) Mobilize secondary school students (including students educated in the home) in the United States to participate in the election process in a nonpartisan manner as poll workers or assistants.

(2) Promote the use of the services of the students participating in the Program.

(3) To encourage State and local governments to use the services of the students participating in the Program.

(4) To engage in advertising targeted at students enrolled at institutions of higher education (including community colleges) to participate in the Program.

(5) To develop materials, sponsor seminars and workshops, engage in advertising targeted at students, make grants, and take such other actions as it considers appropriate to meet the purposes described in paragraphs (1) through (3).

(6) To require activities to be carried out on a nonpartisan basis.

(7) To consult with State election officials.

(8) To carry out its purposes in a balanced manner which does not reflect any partisan bias.

(9) To adopt a constitution and bylaws.

(10) To adopt a seal which shall be judicially notice.

(11) To do any other act necessary to carry out this chapter.

(12) To sue and be sued.

(13) To do any other act necessary and proper to carry out the purposes of the foundation.

(14) To accept, receive, solicit, hold, administer, and use any gift, devise, or bequest, either absolutely or in trust, on behalf of the United States; and

(15) To acquire property or an interest in property by purchase or exchange;

(16) Unless otherwise required by an instrument of transfer, to sell, donate, lease, invest, or otherwise dispose of any property or income from property;

(17) To borrow money and issue instruments of indebtedness;

(18) To make contracts and other arrangements with public agencies and private organizations and persons and to make payments necessary to carry out its functions;

(19) To sue and be sued; and

(20) To do any other act necessary and proper to carry out the purposes of the foundation.
a conference in the Washington, D.C., metropolia
tan area to honor secondary school students and
other individuals who have served (or plan to
serve) as poll workers and assistants and who
have otherwise participated in the programs and
activities of the foundation.

§152606. Principal office
The principal office of the foundation shall be in
the District of Columbia unless the board of
directors otherwise determines. However, the foun
dation may conduct business throughout the
States, territories, and possessions of the
United States.

§152607. Service of process
The foundation shall have a designated
agent to receive service of process for the foun
dation. Notice to or service on the agent, or
mailed to the business address of the agent, is
notice to or service on the foundation.

§152608. Annual audit
The foundation shall enter into a contract with
an independent auditor to conduct an an
nual audit of the foundation.

§152609. Civil action by Attorney General for
equitable relief
The Attorney General may bring a civil ac
tion in the United States District Court for the
District of Columbia for appropriate equitable
relief if the foundation
(a) engages or threatens to engage in any
act, practice, or policy that is inconsistent with
the purposes in section 152602 of this title; or
(b) refuses, fails, or neglects to carry out its
obligations under this chapter or threatens to
do so.

§152610. Immunity of United States Govern
ment
The United States Government is not liable for
any debts, defaults, acts, or omissions of the
foundation. The full faith and credit of the Gov
ernment does not extend to any obligation of the
foundation.

§152611. Authorization of appropriations
There are authorized to be appropriated to
carry out the purposes of this chapter—
(a) $5,000,000 for fiscal year 2002; and
(b) such sums as may be necessary for each
 succeeding fiscal year.

§152612. Annual report
As soon as practicable after the end of
each fiscal year, the foundation shall submit a report to
the President, and Congress shall review the activities of
the foundation during the prior fiscal year, including a complete statement of
its receipts, expenditures, and investments. Such
information shall be made available to the
Inspector General of the Department of Defense
under paragraph (1), each Inspector Gen
eral of the Army, Navy, Air Force, and Marine Corps,
and each Inspector General of each Service of the Armed Forces.

Title V—Minimum Standards for State Election Systems

§ 501. Minimum Standards for State Election Systems
(a) In General. The chief State election of
official of each State shall certify in writing to the Election Assistance Commission that—
(1) in administering election systems, the State is in compliance with the existing apparent
requirements of the Voting Rights Act of 1965, the
National Voter Registration Act of 1993, the
Uniformed and Overseas Citizens Absentee Vot
ing Act, the Voting Assistance for the Elderly
Handicapped Act, and the Americans With
Disabilities Act of 1990; and
(2) the State has enacted legislation to enable
the State to meet each of the minimum standard
for State election systems described in section
502.
(b) METHODS OF IMPLEMENTATION LEFT TO
DISCRETION OF STATE.—The specific choices on
the methods of implementing the legislation en
acted pursuant to subsection (a)(2) shall be left to the discretion of the State.
(c) CHIEF STATE ELECTION OFFICIAL DE
FINED.—In this title, the ‘‘chief State election of
ficial of a State is the individual designated by
the State under section 10 of the National Voter
Registration Act of 1993 (42 U.S.C. 1973gg-8) to
be responsible for coordination of the State’s re
sponsibilities under such Act.

§ 502. Standards for State election sys
tems described in this section as follows:
(1) The State will implement an official State
wide voter registration network system to every
local jurisdiction in the State, with provi
sions for sharing data with other States, except
that this paragraph shall not apply in the case of
a State in which, under law in effect continu
ously on and after the date of the enactment of
this Act, there is no voter registration require
ment for any voter in the State with respect to
an election for Federal office.
(2) The State election system includes provi
sions to ensure that voter registration records in
the State are accurate and are updated regu
larly, including, but not limited to—
(A) A system of file maintenance which re
moves registrants who are ineligible to vote from
the official list of eligible voters. Under such
system, consistent with the National Voter Reg
istration Act of 1993, registrants who have not
voted in 2 or more consecutive general elections
for Federal office and who have not responded to a
notice to be removed from the official list of
eligible voters, except that no registrant may be
removed solely by reason of a failure to vote.
(B) Safeguards to ensure that eligible voters are
not removed in error from the official list of
eligible voters.
(3) The State permits, by the deadline required
under section 504(b), in-precinct provisional vot
ing by every voter who claims to be qualified to
vote in the State, or has adopted an alternative
which achieves the same objective, except that
this paragraph shall not apply in the case of a
State in which, under law in effect continuously
on and after the date of the enactment of this Act,
voters in the State in general elections for Federal office are cast by mail.
(4) The State shall implement standards that def
ine what will constitute a vote on each
category of voting equipment certified for use in the State.
(5) The State has implemented safeguards to
ensure that absent uniformed services voters (as
defined in section 107(1) of the Uniformed
and Overseas Citizens Absentee Voting Act) and
overseas voters (as defined in section 107(3) of
such Act) in the jurisdiction have the oppor
portunity to vote and have their votes counted.
(6) The State has implemented standards to
provide a practical and effective means for vot
ers with physical disabilities including blindness
to cast a secret ballot.
(7) If the State’s voting systems which give
voters the opportunity to correct errors, the
State shall ensure that voters are able to check
for and correct errors under conditions which
ensure privacy of the voter and, to the extent pos
sible within the State’s voting systems, protect
earnestness of the voter and secure privacy of the
government within the States, ‘‘procuring new vot
ing machines within their jurisdiction, except
for States and units replacing or supplementing
existing equipment (within the same voting sys	tem), shall ensure that the new voting system
gives voters the opportunity to correct errors be
fore the vote is cast.

§ 503. Enforcement
(a) REPORT TO COMMISSION BY ATTORNEY
GENERAL.—If a State does not provide a certifi
cation under section 501 to the Election Assist
ance Commission, or if the Commission has cred
ible evidence that a State’s certification is false or
that a State is carrying out activities in viola
tion of the terms of the certification, the Com
mission shall notify the Attorney General.
(b) ACTION BY ATTORNEY GENERAL.—After re
ceiving notice from the Commission under sub
section (a), the Attorney General may bring a
petition for a writ of mandamus in an approprinate
district court for such declaratory or injunctive
relief as may be necessary to remedy a violation of
this title.

§ 504. Effective Date.
In General.—Except as provided in sub
section (b), the requirements of this title shall
take effect upon the expiration of the 2-year pe
riod which begins on the date of the enactment
of this Act, except that the chief State election of
ficial of a State certifies that good cause exists
to waive the requirements of this title with re
spect to the State until the date of the regularly
scheduled general election for Federal office
held in November 2004, the requirements shall
apply with respect to the State beginning on the
date of such election.

Title VI—Voting Rights of Military Members and Overseas Citizens

§ 601. Voting Assistance Programs
(a) Regulations.—The Secretary of Defense
shall prescribe regulations to require that the Army, Navy, Air Force, and Marine Corps
ensure their compliance with any directives issued
by the Secretary of Defense in implementing any
voting assistance programs of that armed force.
(b) Voting Assistance Programs Defined.—In this section, the term ‘‘voting assistance
programs’’ means—
(1) the Federal Voting Assistance Program
carried out under the Uniformed and Overseas
Citizens Absentee Voting Act (42 U.S.C. 1973fj et seq.); and
(2) any similar program.
(c) Annual Effectiveness and Compliance Reviews.—(1) The Inspector General of each of the
Army, Navy, Air Force, and Marine Corps shall conduct
an annual review of the effectiveness of
ting assistance programs and
(2) an annual review of the compliance with
ting assistance programs of that armed force.
(d) In the completion of each annual re
view under paragraph (1), each Inspector Gen
eral specified in that paragraph shall submit to
the Inspector General of the Department of De
fense a report on the review.
(e) Such report shall be submitted in time
each year to be reflected in the report of the In
spector General of the Department of Defense
under paragraph (3).
(2) Not later than March 31 each year, the
Inspector General of the Department of Defense shall submit to Congress a report on

Title VI—Voting Rights of Military Members and Overseas Citizens

§ 601. Voting Assistance Programs
(a) Regulations.—The Secretary of Defense
shall prescribe regulations to require that the Army, Navy, Air Force, and Marine Corps
ensure their compliance with any directives issued
by the Secretary of Defense in implementing any
voting assistance programs of that armed force.
(b) Voting Assistance Programs Defined.—In this section, the term ‘‘voting assistance
programs’’ means—
(1) the Federal Voting Assistance Program
carried out under the Uniformed and Overseas
Citizens Absentee Voting Act (42 U.S.C. 1973fj et seq.); and
(2) any similar program.
(c) Annual Effectiveness and Compliance Reviews.—(1) The Inspector General of each of the
Army, Navy, Air Force, and Marine Corps shall conduct
an annual review of the effectiveness of
ting assistance programs and
(2) an annual review of the compliance with
ting assistance programs of that armed force.
(d) In the completion of each annual re
view under paragraph (1), each Inspector Gen
eral specified in that paragraph shall submit to
the Inspector General of the Department of De
fense a report on the review.
(e) Such report shall be submitted in time
each year to be reflected in the report of the In
spector General of the Department of Defense
under paragraph (3).
(2) Not later than March 31 each year, the
Inspector General of the Department of Defense shall submit to Congress a report on

CONGRESSIONAL RECORD — HOUSE

December 12, 2001

H9285

as added by subsection (a), shall be submitted not later than March 31, 2003.

Section 102 of the Uniformed and Overseas Citizens Absentee Voting Act (42 U.S.C. 1973ff–1) is amended —

(1) by inserting “(a) IN GENERAL.—” before “Each State”; and

(2) by adding at the end the following new subsection:

“(b) DESIGNATION OF SINGLE STATE OFFICE TO PROVIDE INFORMATION ON REGISTRATION AND ABSENTEE BALLOT PROCEDURES FOR ALL VOTERS IN STATE.—

“(1) IN GENERAL.—Each State shall designate a single office which shall be responsible for providing information regarding voter registration procedures and absentee ballot procedures (including procedures relating to the use of the Federal write-in absentee ballot) to all absent uniformed services voters and overseas voters who wish to register to vote or vote in any jurisdiction in the State.

“(2) RECOMMENDATION REGARDING USE OF OFFICE TO ACCEPT AND PROCESS MATERIALS.—Congress recommends that the State office designated under paragraph (1) be responsible for carrying out the State’s duties under this Act, including accepting and processing applications, absentee ballot applications, and absentee ballots (including Federal write-in absentee ballots) from all absent uniformed services voters and overseas voters who wish to register to vote or vote in any jurisdiction in the State.”.

SEC. 603. REPORT ON ABSENTEE BALLOTS TRANSMITTED AND RECEIVED AFTER GENERAL ELECTIONS.

(a) In general.—Section 102 of the Uniformed and Overseas Citizens Absentee Voting Act (42 U.S.C. 1973ff–1), as amended by section 602, is amended —

(1) by adding at the end the following new subsection:

“(c) REPORT ON NUMBER OF ABSENTEE BALLOTS TRANSMITTED AND RECEIVED AFTER GENERAL ELECTIONS.

“(1) In general.—Each State shall transmit to the Election Assistance Commission, working with the Election Assistance Commission Board of Advisors and the Election Assistance Commission Standards Board, a report describing the measures the State office is responsible for implementing such measures.

“(2) The Secretary shall ensure that voting materials are transmitted expeditiously by military postal services. The Secretary shall, to the maximum extent practicable, implement measures to ensure that a postmark or other official proof of mailing date is provided on each ballot mailed at any overseas location or vessel at sea whenever the Department of Defense is responsible for collecting mail for return shipment to the United States. The Secretary shall make such report available to the public.

“(b) DEVELOPMENT OF STANDARDIZED FORMAT FOR REPORTS.—The Election Assistance Commission, working with the Election Assistance Commission Board of Advisors and the Election Assistance Commission Standards Board, shall develop a standardized format for the reports submitted by States and units of local government under section 102(c) of the Uniformed and Overseas Citizens Absentee Voting Act (as added by subsection (a)), and shall make the format available to the States and units of local government submitting such reports.

SEC. 604. SIMPLIFICATION OF VOTER REGISTRATION AND ABSENTEE BALLOT PROCEDURES FOR ABSENTEE UNIFORMED SERVICES AND OVERSEAS VOTERS.

(a) In general.—Section 102(a) of the Uniformed and Overseas Citizens Absentee Voting Act (42 U.S.C. 1973ff–1) is amended —

(1) by inserting “(a) In general.—” before “Each State”; and

(2) by adding at the end the following new subsection:

“(b) INITIAL REPORT.—The first report under section 1566(c)(3) of title 10, United States Code,
“(2) accept and process, with respect to any election for Federal office, any otherwise valid voter registration application and absentee ballot application from an absent uniformed services voter or overseas voter, if the application was received by the appropriate State election official not less than 30 days before the election;”;

(b) by striking the period at the end of paragraph (5), and inserting “; and”;

(c) by adding at the end the following new paragraph:

“(4) the official post card form (prescribed under section 101) for simultaneous voter registration application and absentee ballot application.”;

(2) CONFORMING AMENDMENTS.—Section 101(b)(2) of such Act (42 U.S.C. 1973f(b)(2)) is amended by striking “as recommended in section 104” and inserting “as required under section 102(a)(4)”;

(b) USE OF SINGLE APPLICATION FOR ALL SUBSEQUENT ELECTIONS.—Section 104 of such Act (42 U.S.C. 1973f-3) is amended to read as follows:

“SEC. 104. USE OF SINGLE APPLICATION FOR ALL SUBSEQUENT ELECTIONS.

“(a) IN GENERAL.—If a State accepts and processes an official post card form (prescribed under section 101) submitted by an absent uniformed services voter or overseas voter for simultaneous voter registration and absentee ballot application (in accordance with section 102(a)(4)) and the voter requests that the application be considered “an application for an absentee ballot for each subsequent election for Federal office held in the State through the next 2 regularly scheduled general elections for Federal office (including any runoff) elections which may occur as a result of the outcome of such general elections), the State shall provide an absentee ballot for each such election.”;

(b) EXCEPTION FOR VOTERS CHANGING REGISTRATION.—Section 104(a)(3) and subsection (a) shall not apply with respect to a voter registered to vote in a State for any election held after the voter notifies the State that the voter no longer wishes to be registered to vote in the State or after the State determines that the voter has registered to vote in another State.

(c) REVISION OF OFFICIAL POST CARD FORM.—The President shall revise the official post card form (prescribed under section 101) to enable a voter using the form to:

(1) receive an absentee ballot for each election for Federal office held in a State “for which the voter may be provided an absentee ballot under subsection (a)”;

(2) in paragraph (4), by striking “and” and apply with respect to any election in which the voter no longer wishes to be registered to vote in the State or after the State determines that the voter has registered to vote in another State.

(d) EFFECT ON VOTER REMOVAL PROGRAM.—Nothing in this section may be construed to prevent a State from removing any voter from the rolls of registered voters in the State under any program or method permitted under section 8 of the National Voter Registration Act of 1993.”;

SEC. 605. ADDITIONAL DUTIES OF PRESIDENTIAL DESIGNEE FOR ABSENTEE UNIFORMED AND OVERSEAS CITIZENS ABSENTEE VOTING ACT.

(a) EDUCATION.—ELECTION OFFICIALS ON RESPONSIBILITIES UNDER ACT.—Section 101(b)(1) of the Uniformed and Overseas Citizens Absentee Voting Act (42 U.S.C. 1973q(b)(1)) is amended by striking “(a)” and inserting the following: “(a)”, and ensuring that such officials are aware of the requirements of this Act.”;

(b) DEVELOPMENT OF STANDARD OATH FOR USE WITH MATERIALS.—

(1) IN GENERAL.—Section 101(b)(2) of such Act (42 U.S.C. 1973q(b)(2)) is amended—

(A) by striking “and” at the end of paragraph (5), and inserting “; and”;

(B) by striking the period at the end of paragraph (6) and inserting “; and”;

(C) by adding at the end the following new paragraph:

“(7) prescribe a standard oath for use with any document under this title affirming that a material misstatement of fact in the completion of such a document may constitute grounds for a conviction under statutory provisions;”;

(2) REQUIRING STATES TO USE STANDARD OATH.—Section 102(a) of such Act (42 U.S.C. 1973f-1(b)), as amended by sections 603 and 604(a), is amended by—

(A) by striking “and” at the end of paragraph (3), and inserting “; and”;

(B) by striking the period at the end of paragraph (4) and inserting “; and”;

(C) by adding at the end the following new paragraph:

“(5) The State requires an oath or affirmation to accompany any document under this title, use the standard oath prescribed by the Presidential designee under section 101(b)(7),”;

(d) C ONSOLIDATED STATISTICAL ANALYSIS OF VOTER PARTICIPATION FOR BOTH OVERSEAS VOTERS AND ABSENTE UNIFORMED SERVICE VOTERS.—Section 101(b)(6) of such Act (42 U.S.C. 1973f(b)(6)), is amended by striking “a general assessment” and inserting “a separate statistical analysis”.

SEC. 606. USE OF BUILDINGS ON MILITARY INSTALLATIONS AS POLLING PLACES.

(a) LIMITATION OF MILITARY INSTALLATIONS AUTHORIZED.—Section 2670 of title 10, United States Code, is amended—

(1) by striking “Under” and inserting “(a)”;

(2) by striking this section and inserting “this subsection”; and

(3) by adding at the end the following new subsection:

“(b) USE AS POLLING PLACES.—(1) Notwithstanding any other provision of law, the Secretary of a military department may make a building on a military installation under the jurisdiction of the Secretary available for use as a polling place in any Federal, State, or local public election, but only if such use is limited to eligible voters who reside on that military installation;

“(2) If a building located on a military installation is made available under paragraph (1) as the site of a polling place, the Secretary shall continue to make the building available for subsequent elections unless the Secretary provides to the appropriate State or local election officials advance written notice and through the use of the system under section 101(b) of such Act, shall continue to provide to such State or local election officials notice and through the use of the system under section 101(b) of such Act, that the building will no longer be made available as a polling place;

“(3) In this section, the term "military installation" has the meaning given the term in section 2670(e) of this title.”;

(b) USE OF RESERVE COMPONENT FACILITIES.—

(1) Section 18235 of title 10, United States Code, is amended by adding at the end the following new subsection:

“(2) Pursuant to a lease or other agreement under subsection (a)(2), the Secretary may make a facility covered by subsection (a) available for use as a polling place in any Federal, State, or local public election notwithstanding any other provision of law, if the facility is located on a military installation under the jurisdiction of the Secretary and is not occupied by the Secretary for military purposes, and is accessible to the public from a public street or highway, and is adjacent to a voting area in the State or local election jurisdiction, and is made available as a polling place for Federal, State, and local elections.

(2) The item relating to such section in the table of sections at the beginning of chapter 2 of such title is amended to read as follows:

“2670. Buildings on military installations: use by American National Red Cross and as polling places in Federal, State, and local elections.”;

3629. Reduced rates for official election mail.”;

TITLE VIII—TRANSITION PROVISIONS

SEC. 801. FEDERAL ELECTION CAMPAIGN ACT OF 1971.

(a) TRANSFER OF FUNCTIONS OF OFFICE OF ELECTION ADMINISTRATION OF FEDERAL ELECTION COMMISSION.—There are transferred to the Election Assistance Commission established under section 201 all functions which the Office of the Election Administration, established with the Federal Election Commission, exercised before the date of enactment of this Act.

(b) CONFORMING AMENDMENT.—Section 311(a) of the Federal Election Campaign Act of 1971 (2 U.S.C. 435(a)) is amended—

(1) in paragraph (8), by inserting “and” after “the”; and

(2) in paragraph (9), by striking “; and” and inserting a period; and

(3) by striking paragraph (10) and the second and third sentences.

SEC. 802. NATIONAL VOTER REGISTRATION ACT OF 1993.

(a) TRANSFER OF FUNCTIONS.—There are transferred to the Election Assistance Commission established under section 201 all functions which the Federal Election Commission exercised under the National Voter Registration Act of 1993 before the date of enactment of this Act.

(b) CONFORMING AMENDMENT.—Section 9(b)(4) of the National Voter Registration Act of 1993 (42 U.S.C. 1973g-7(b)(4)) is amended by striking “in the Federal Election Commission” and inserting “Election Assistance Commission”.

SEC. 803. TRANSFER OF PROPERTY, RECORDS, AND PERSONNEL.

(a) PROPERTY.—The contracts, liabilities, records, property, and other assets and interests of, or made available in connection with, the offices and functions of the Federal Election Commission which are transferred by this subtitle are transferred to the Election Assistance Commission for appropriate allocation.

(b) PERSONNEL.—

(1) IN GENERAL.—The personnel employed in connection with the offices and functions of the
Federal Election Commission which are transferred by this subtitle are transferred to the Election Assistance Commission.

(2) EFFECT.—Any full-time or part-time personnel, employees, or other personnel of the entity involved in the functions transferred to the Election Assistance Commission under this title or the amendments made by this title for such period of time as may reasonably be necessary to facilitate the orderly transfer of such functions.

Subtitle B—Coverage of Commission Under Certain Laws and Programs

SEC. 811. TREATMENT OF COMMISSION PERSONNEL UNDER CERTAIN CIVIL SERVICE LAWS.

(a) COVERAGE UNDER HATCH ACT.—Section 7323(b)(1)(B)(ii)(I) of title 5, United States Code, is amended by inserting “or the Election Assistance Commission” after “Commission”.

(b) EXCLUSION FROM SENIOR EXECUTIVE SERVICE.—Section 3332(a)(1)(C) of title 5, United States Code, is amended by inserting “or the Election Assistance Commission” after “Commission”.

SEC. 812. COVERAGE UNDER INSPECTOR GENERAL ACT OF 1978.

(a) IN GENERAL.—Section 8G(a)(2) of the Inspector General Act of 1978 (5 U.S.C. App.) is amended by inserting “or the Election Assistance Commission” after “Commission”.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall take effect 180 days after the appointment of all members of the Election Assistance Commission under section 203.

Title IX—Miscellaneous Provisions

SEC. 901. STATE DEFINED.

In this Act, the term “State” includes the District of Columbia, the Commonwealth of Puerto Rico, Guam, American Samoa, and the United States Virgin Islands.

SEC. 902. MISCELLANEOUS PROVISIONS TO PROTECT INTEGRITY OF ELECTION PROCESS.

(a) CLARIFICATION OF ABILITY OF ELECTION OFFICIALS TO REMOVE REGISTRANTS FROM OFFICIAL LIST OF VOTERS ON GROUNDS OF CHANGE OF RESIDENCE.—Section 8(b)(2) of the National Voter Registration Act of 1993 (42 U.S.C. 1973g–6(b)(2)) is amended by striking the period at the end and inserting the following: “, except that nothing in this paragraph may be construed to prohibit registrars or other persons using the procedures described in subsections (c) and (d) to remove an individual from the official list of eligible voters if the individual has not voted or appeared to vote in 2 or more consecutive general elections for Federal office and has not either notified the applicable registrar (in person or in writing) or responded to a notice sent by the applicable registrar to the individual, or otherwise procured for Federal office and has not either notified the applicable registrar (in person or in writing) or responded to a notice sent by the applicable registrar to the individual, or otherwise procured for Federal office and has not either notified the applicable registrar (in person or in writing) or responded to a notice sent by the applicable registrar to the individual, or otherwise procured.

(b) PROHIBITING EFFORTS BY POLL WORKERS TO COerce VOTERS TO CAST VOTES FOR EVERY OFFICE ON BALLOT.—Section 594 of title 18, United States Code, is amended—

(1) by striking “Whoever” and inserting “(a) Whoever”;

(2) by adding at the end the following new subsection:

“(b) For purposes of subsection (a), a poll worker who urges or encourages a voter who has not cast a vote for each office listed on the ballot to return to the voting booth to cast votes for each such office, or who intimidates, harasses, or coerces the voter to vote for each such office (or who attempts to intimidate, harass, or coerce the voter to vote for each such office), or who threatens, or coerced (or has to attempted to intimidate, threaten, or coerce) the voter for the purpose of interfering with the voter’s right to vote as the voter may choose. Nothing in this subsection shall prohibit a poll worker from providing information to a voter who requests assistance.”

SEC. 903. NO EFFECT ON OTHER LAWS.

(a) IN GENERAL.—Nothing in this Act and no action taken pursuant to this Act shall supersede, restrict, or limit the application of the Voting Rights Acts of 1965, the National Voter Registration Act of 1993, the Americans with Disabilities Act of 1990, or the Americans with Disabilities Act of 1990.

(b) NO CONDUCT AUTHORIZED WHICH IS PROHIBITED UNDER OTHER LAWS.—Nothing in this Act authorizes or requires any conduct which is prohibited by the Voting Rights Acts of 1965, the National Voter Registration Act of 1993, or the Americans with Disabilities Act of 1990.

(c) APPLICATION TO STATES, LOCAL GOVERNMENTS, AND COMMISSION.—Except as specifically provided in the National Voter Registration Act of 1993, nothing in this Act may be construed to affect the application of the Voting Rights Acts of 1965, the National Voter Registration Act of 1993, or the Americans with Disabilities Act of 1990.

The SPEAKER pro tempore. The gentleman from Ohio (Mr. NEY) and the gentleman from Maryland (Mr. HOYER) each will control 30 minutes.

Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise today in support of H.R. 3295, the Help America Vote Act of 2001. This legislation is a culmination of a long series of hearings, discussions, and negotiations.

In crafting this bipartisan election reform bill, we heard from and consulted with groups from across the United States that represent the interests of voters, election officials, State and local governments, and others who care about this issue.

From the outset of this process, my goal was to craft legislation that could be supported by Members from both sides of the aisle. That is critical in this process.

Mr. Speaker, I recognize the gentleman from Maryland (Mr. HOYER), our ranking member of the Committee on House Administration, and all of the Members on both sides of the aisle from both parties because it was not for the gentleman from Maryland (Mr. HOYER), his diligence, and the integrity, the will and desire to improve elections in one of the most important bills in the history of this country in any election process, besides the Voting Rights Act, we would not be standing here today.

The fact that we have 173 cosponsors on the bill, 63 Republicans and 110 Democrats, more cosponsors than any other election reform bill in the House. I think demonstrates that we achieved the goal that we wanted. That is the way it should be. Improving our country’s election system should not and cannot be a partisan issue. Everybody knows that we all want to have a system that to vote and has to feel secure that their vote counts.

Republicans and Democrats nationwide and here in this Congress agree on the necessity of ensuring that all citizens who wish to vote to cast their votes in an election made available to the people to vote their votes accurately. That is the goal.

The first title of the bill is the punch card replacement program. The title authorizes $400 million to allow those jurisdictions that used punch card voting systems in the November 2000 election to get rid of them. It is obvious that we need to get rid of these antiquated technologies and replace them with machines voters have confidence in.

I hope, Mr. Speaker, that one day the way we will see punch card machines in the United States is to go to the Smithsonian in order to view them. Mr. Speaker, this bill also authorizes funds to make that happen.

This bill creates a new Election Assistance Commission called the EAC. This new commission will assume the functions of the Office of Election Administration currently under the Federal Election Commission.

The new EAC will serve as a national clearinghouse for the compiling of information and review of procedures affecting the administration of Federal elections. The EAC will also be charged with developing new voluntary election management practice standards. It will distribute the election fund payments, research and development grants, and pilot programs authorized by this bill.

I will point out that the process we chose for this commission is not by accident. The purpose of this commission is to assist State and local governments with their election administration problems; its purpose is not to dictate solutions or hand down bureaucratic mandates.

In fact, one of the first premises that our ranking member, the gentleman from Maryland (Mr. HOYER) and I agreed on, and we received sympathy from around the entire Congress, I believe, is that it will not be a rulemaking body. It will have teeth, it will have an advisory board that the gentleman from Maryland (Mr. HOYER) has suggested, and a standards board of local officials across the U.S. that will be tested, but in fact, it will not be dictating through rules and regulations on a daily basis of how local elections will be carried out.

The commissioners serve part-time. Of the four commissioners, no more than two can be from the same party, so bipartisanship is assured. Additionally, it must consult with and consider recommendations of the advisory board.
and the standards board that I mentioned previously. These boards, again, will consist of election officials and other interested groups who have interest in or expertise in election issues. These boards will have a voice on this commission, and that voice will be heard.

In addition to the funds authorized for punch card replacement, this bill authorizes $2.25 billion for election fund payments to the States. The election fund payments will be used for a variety of things, from purchasing new equipment to updating registration systems, to assuring access for those with physical disabilities to the polls, to increasing poll worker education and training, sending sample ballots, and a wide variety of other uses that are, once again, good for the United States election system.

The fund is designed to allow a State to determine its greatest needs and to devote resources to those needs. Along with these funds come funding conditions.

States that take fund payments must certify, for example, that they have provided $1 to match every $3 provided by the Federal Government, a 25 percent match. They also must demonstrate that they have established a statewide benchmark for voting system performance, and also that they have adopted uniform election standards developed by the new Election Assistance Commission, or they have developed their own standards that will do the job. And that they have in each precinct or polling place a voting system that is fully accessible to people who have a form of disability.

These funding conditions will ensure that the Federal dollars are spent appropriately, and that the EAC will monitor compliance with these conditions.

This bill also creates the Help America Vote program. This was an idea that the gentleman from Maryland (Mr. HOYER) brought forth that I think is terrific. I really appreciate it. It will have it at the high school level and at the college level. This program is designed to get the country’s young people involved in the energetic give and take of public debate through our democratic process through the voluntary service of non-partisan poll workers and assistants.

One common view that we heard from election officials across the Nation in both parties was that there is a critical shortage of poll workers. This program will have the two-fold benefit of helping with this shortage, while also getting our young people involved in their democracy.

All of us in this institution constantly talk about getting young people involved in the process, getting them to be registered to vote. This component on this bill, this part, may have not been talked about daily in the media, Mr. Speaker, but it is. I think, one of the most valuable things that we are doing in this bill.

Title V is the minimum standards section of the bill. During negotiations, some feared that having funding conditions was not adequate because voters who might live in States that did not take the funds would not be protected. Others opposed intrusive Federal mandates that could become burdensome and inefficient.

The minimum standards we included in this bill strike the appropriate middle ground. That is why I believe, Mr. Speaker, we see a wide variety of people from this House, Members from both parties, from all the political spectrums who cosponsored this, because we achieved that middle ground that we needed. The minimum standards guarantee certain protections for all voters in the United States without imposing an intrusive, federally-designed system.

There are seven minimum standards. Briefly, they are: The State will implement a statewide registration system that is networked to every jurisdiction in the State; The State has a system of file maintenance which ensures that the voting rolls are accurate and are updated regularly; The State permits in-precinct provisional voting by any voter who claims to be qualified to vote; The State has adopted uniform standards to define what constitutes a vote on the different types of voting equipment in use in the State; The State implemented safeguards to ensure that military service personnel and citizens living overseas have the opportunity to vote and have their vote counted; The State requires that new voting systems provide a practical and effective means for voters with physical disabilities to cast a secret ballot; And also, States that have technology that allows voters to check for errors must ensure that they are able to do so under conditions which assure privacy, and States replacing their voting systems must do so with machines that give voters the opportunity to correct errors before the ballot is cast.

The Commission will monitor compliance with these minimum standards, and can make a referral to the Justice Department in cases of noncompliance.

Mr. Speaker, this bill will also help assure the voting rights of our service personnel and overseas citizens. That is important, as we know, that has come to light, and we appreciate the work that many Members of the House did on this in giving input, people such as the gentlewoman from New York (Mrs. MALONEY) and the gentleman from New York (Mr. REYNOLDS); the gentleman from Indiana (Mr. BUYER), and many others.

It includes a number of provisions that will make it easier for our service personnel to obtain ballots and transmit them in a timely fashion.

Additionally, we will require the Department of Defense to make sure that there are an adequate number of voting assistance officers assigned, and to make sure that ballots are properly postmarked so they cannot be challenged.

Mr. Speaker, this bill, once again, is the culmination of a lot of hard work. It is carefully crafted and written in the spirit of bipartisan and compromise. I think it is a package that really deserves support.

I also want to thank the gentleman from Missouri (Mr. BLUNT), who is a former Secretary of State. He gave us, from the first day forward, some dynamic ideas and great support on this bill.

Again, I want to thank the gentleman from Maryland (Mr. HOYER). We could not be here if it was not for his spirit on this, and his resolve to make sure that we have good elections in this country.

Mr. Speaker, this bill evolved from a punch card issue into something way beyond that has teeth, that makes changes, but does it in a responsible way. And it is with the support of local governments. Speaker Marty Stevens of the National Council of State Legislators and all their staff are supporting this bill; also President Jimmy Carter and President Gerald Ford; Phillip Zellico, the executive director of the National Commission on Election Reform; Ron Thornberg, a Republican Secretary of State from Kansas and president of the National Association of Secretaries of State; Sharon Priest, a Democrat from Arkansas and past president of this association; and Ken Blackwell, a Republican from Ohio.

On a bipartisan basis, the Secretaries of State stepped up to the plate to once again help us to craft this bill; Ralph Taber of NACO, Doug Lewis, executive director of the Elections Center, and many, many others.

The staffs of the Committee on House Administration on both sides of the aisle all came together to make these ideas gel, but all with the same spirit.

As we look around at what has happened to this country, as we look around at those who have tried to attack our very foundation, we realize that the election of individuals from all levels is important, because we do have the greatest democracy in the world. We want the people to feel comfortable with our election process.
Mr. Speaker, 1 year ago tonight in Bush v. Gore, the United States Supreme Court effectively determined the outcome of our last Presidential election. But today this House has an historic opportunity to let this day be remembered not for one of the most catastrophic events in our country's history, but for congressional action to protect our most cherished democratic right: the right to vote and the right to have that vote counted.

One hundred million Americans were eligible to vote in the election of November 7, 2000, but an estimated 6 million, according to the CalTech-MIT study, failed to have their votes counted.

The right to vote is precious. It is all of the problems in our electoral system. They endorse this bill, so does the Los Angeles Times and dozens of other newspapers. It is a sensible step to protect the rights of voters, and we should pass it without further delay.

The legislation before us is a well balanced, generally bipartisan. I congratulate the gentleman from Ohio (Chairman Ney) and the gentleman from Maryland (Mr. Hoyer) for this wonderful bill that we have before us. They have produced excellent work in doing this. In the bill itself, H.R. 3295, the Help America Vote Act, offers a comprehensive and sensible response that will help to eliminate those doubts and restore the integrity and credibility of our elections.

Mr. Hoyer, Mr. Speaker, will the gentleman yield?

Mr. Hoyer. Mr. Speaker, I want to thank the gentleman. The gentlemen from Florida (Mr. Weldon), the gentleman from California (Mr. Horsley) and the gentleman from Ohio (Mr. Ney) have spent hours this morning in discussions. In Florida and many other places in our Nation must move forward. It has been over a year since the very first day of this session and we introduced a bill that was not as comprehensive as this. The gentleman was a sponsor and has worked with us ever since. I thank him for his involvement.

Mr. Hoyer. Mr. Speaker, I yield 2 minutes to the very distinguished gentleman from Georgia (Mr. Lewis).

Mr. Lewis. Mr. Speaker, I rise today in support of the Gonzalez amendment. The gentleman from Maryland (Mr. Hoyer) for bringing this bill to the floor. I want to thank my friend and colleague, the gentleman from Maryland (Mr. Hoyer), for yielding me time. I know this has not been easy for the two of you, but you brought us to where we are today.

Mr. Speaker, I rise today in support of moving the process of election reform forward. It has been over a year since the 2000 election and other electoral problems have already been faced in past years' Presidential elections. In Florida and many other States, the past election made clear that there are serious doubts about how we conduct some of our elections. This bill sets minimum Federal standards that the States must meet, and it provides more than $2.6 billion in Federal funds to help them meet those standards.

The bill specifically provides $400 million to begin getting rid of all the punch card voting machines that got us into trouble last year in Florida and many other places. Former Presidents Carter and Ford headed a national commission to examine solutions for all of the problems in our electoral system. They endorse this bill, so does the Los Angeles Times and dozens of other newspapers. It is a sensible step to protect the rights of voters, and we should pass it without further delay.

The legislation before us is a well balanced, generally bipartisan. I congratulate the gentleman from Ohio (Chairman Ney) and the gentleman from Maryland (Mr. Hoyer) for this wonderful bill that we have before us. They have produced excellent work in doing this. In the bill itself, H.R. 3295, the Help America Vote Act, offers a comprehensive and sensible response that will help to eliminate those doubts and restore the integrity and credibility of our elections.

Mr. Hoyer. Mr. Speaker, will the gentleman yield?

Mr. Hoyer. Mr. Speaker, I yield to the gentleman from Maryland.

Mr. Scott. Mr. Speaker, I yield to the gentleman from Ohio (Mr. Ney).

Mr. Ney. Mr. Speaker, I rise today in support of election reform. The bipartisan legislation is the product of numerous hearings, at least four in the Committee on House Administration, the most of any congressional committee this year, in which we received invaluable input from State and local officials.

This bipartisan legislation has been endorsed by, among others, the National Commission on Federal Election Reform, known as the Ford-Carter Commission; the National Association of Secretaries of State; the National Conference of State Legislatures; the National Association of Counties; the National Association of County Recorders, Election Officials and Clerks; the Election Center; the National Federation of State Highway Officials; the League of Women Voters of Los Angeles County. Why is this important? Because it is those individuals who will have to run elections, and the fact that they are supportive of these requirements and these provisions is critically important to the next election.

In fact, in a recent op-ed column in the Washington Post, former Presidents Ford and Carter observed: "With the exception of the civil rights laws of the 1960s, this bill" that is on the floor today, "could provide the most important improvements in our democratic election system in our lifetimes."

This is an extraordinarily good bill. It is not a perfect bill, but it goes much further than anybody would have thought at the beginning of this session.

Finally, I want to specifically thank the gentleman from Michigan (Mr. Conyers), the ranking Democrat of the Committee on the Judiciary, and the gentleman from California (Ms. Waters), the chairman of the Democratic Caucus Special Committee on Election Reform. Their insight and tireless advocacy on this important issue has improved this bill, in fact, incorporates many of their recommendations.

This legislation is not a magic elixir. However, it will significantly improve the integrity of our election process, encourage voter participation and re-store public confidence in our system. In short, it is a historic opportunity for this House to right the undemocratic wrongs in our election system.

Election reform is a down payment on the right that defines us as a people. That is an investment in democracy that I urge every one of my colleagues to make today. This is a good bill. Let us vote for it. Let us pass it to the Senate. Let us take action.

Mr. Ney. Mr. Speaker, I yield 2 minutes to the gentleman from California (Mr. Horne).

Mr. Horne. Mr. Speaker, today, the House has an opportunity to address the many problems that were uncovered in last year's Presidential election. In Florida and many other States, the past election made clear that there are serious doubts about how we conduct some of our elections. This bill sets minimum Federal standards that the States must meet, and it provides more than $2.6 billion in Federal funds to help them meet those standards.

The bill specifically provides $400 million to begin getting rid of all the punch card voting machines that got us into trouble last year in Florida and many other places. Former Presidents Carter and Ford headed a national commission to examine solutions for
elections, to get people included in the political process, to ensure their right to vote. And 40 years later I remain committed to that goal.

As I said before, this bill does not solve all of the problems, and it is not all that many of us wanted; but it does help the process. It is a step toward moving us forward, right here and now. It is past time that we address this important voting rights issue, and this bill is a necessary step in the right direction. I urge all of my colleagues to support this bill. It is the most important voting rights bill that has been inserted in this bill will help strengthen the bill, providing much-needed research into improving voting equipment.

This bill includes a grant program for developing better voting technology and making sure that our existing systems are secure. It also includes a research program inside the National Institute of Standards and Technology that will review, among other things, the role of human factors in the design and use of voting machines.

In summary, this legislation will ensure that the Election Administration Commission will have an effective, transparent, informed, and complete process for the development of voluntary technical standards for voting equipment and systems. I am very pleased to have participated in the creation of this bill, and I urge that we adopt it.

Mr. HOYER. Mr. Speaker, I am honored to yield 3 minutes to the gentleman from Nebraska (Mr. TERRY), my distinguished colleague, the gentleman from Michigan (Mr. EHRLERS), who is also sort of the unofficial science advisor of the House Administration Committee and we appreciate his support.

Mr. EHRLERS asked and was given permission to revise and extend his remarks.

Mr. EHRLERS. Mr. Speaker, I am very pleased to rise in support of this bill. I rise on the premise that every registered citizen has the right to vote, can vote, and should vote. I also believe that every citizen who votes has the right to be assured that his or her vote is counted accurately and, furthermore, that that vote is protected against dilution by fraud of others who vote more than once or who vote illegally.

I have served in local, State and national office for over 25 years. During that time I have seen and participated in many elections. The problems we saw last year in Florida are not unique. These problems occur frequently, and I believe this bill will help to solve many of these election difficulties.

While we can debate the particulars of how to administer an election or which voting equipment to buy, we know that all voting equipment should be based on the strongest possible standards for usability, accuracy, security, accessibility, and integrity. In order to achieve all of that, I introduced a bill earlier this year, H.R. 2275, which would help to assist in establishing the technical standards for voting equipment, making use of the resources of the National Institute of Standards and Technology, which is uniquely qualified to do this. I am very pleased that those provisions of H.R. 2275 have been incorporated into the bill that is before us.

These provisions originally would have created a commission chaired by the Director of the National Institute of Standards and Technology and comprised of local election directors. This commission would have been responsible for developing voluntary technical rules, and to ensure the usability, accuracy, security, accessibility, and integrity of voting systems and voting equipment.

Those provisions have been carried over to this bill. It is a near perfect fit because it creates the process by which the Election Assistance Commission in this bill can develop and will develop technical standards, which currently are woefully inadequate under current law. It is a process that would not have been inserted in this bill will help strengthen the bill, providing much-needed research into improving voting equipment.

This bill includes a grant program for developing better voting technology and making sure that our existing systems are secure. It also includes a research program inside the National Institute of Standards and Technology that will review, among other things, the role of human factors in the design and use of voting machines.

In summary, this legislation will ensure that the Election Administration Commission will have an effective, transparent, informed, and complete process for the development of voluntary technical standards for voting equipment and systems. I am very pleased to have participated in the creation of this bill, and I urge that we adopt it.
Mr. HOYER. Mr. Speaker, I yield 1½ minutes to the gentlewoman from Florida (Ms. BROWN), who has been as strong a voice on behalf of election reform as we have in this country.

Ms. BROWN of Florida. Mr. Speaker, I thank the gentleman for yielding me this time, and I want to thank the chairman and the ranking member both for their leadership on this matter.

One year ago today, 10 p.m., I was standing in front of the Supreme Court. And I tell my colleagues that it was the coldest night I have ever experienced in my life. And I am not talking about the weather. I am talking about the Supreme Court, which selected the President of the United States.

Nobody feels more about this bill than I do, because my constituents were disenfranchised. There is no one in Florida who looks like me that believes we had a fair election in Florida. There is no one who looks like me that does not feel that we had a coup d'état here in the United States. Harsh words. But the television today, and others, talked about what happened at the Supreme Court. But they said, well, everything is okay. Well, the end does not justify the means. We have to make sure that what happened in Florida never happens again.

Now, this bill is not a perfect bill. I have been an elected official for 20 years. I have never seen a perfect bill. But this bill is a perfect beginning, and I support it and urge my colleagues to vote for it. It starts us on our way.

One provision that I want to talk about is that in this bill is the provision on ballotting, wherein 17,000 people would have had an opportunity to have their vote counted if that had been enacted.

Mr. NEY. Mr. Speaker, I yield 2 minutes to the gentlewoman from West Virginia (Mrs. CAPITO).

Mrs. CAPITO. Mr. Speaker, I rise today in strong support of H.R. 3295, the Help America Vote Act of 2001. I want to thank my colleagues, the gentleman from Ohio (Mr. NEY) and the gentleman from Maryland (Mr. HOYER) for creating this bill that will strengthen our Nation's voting system and enhance America's democracy.

The 2000 election highlighted obviously the inequities and inconsistencies in our voting systems. As the country waited to hear the final outcome of the Presidential election, many began to take a closer look at our voting systems. What we saw were outdated technologies and a lack of uniformity.

In my home State of West Virginia, 12 counties of the 55 counties still use the punch ballot. It is easily manipulated and archaic, but these 12 counties lack the funds to replace these machines. With the $3.6 million that West Virginia will receive in this bill, all these machines will be replaced.

But it is interesting to note that there are four other operating voting systems in our small State of West Virginia; optic scans, paper ballots, lever machines, and a highly innovative votronic technology. The lack of uniformity and compatibility creates confusion. This is why we should require States to adopt minimum election standards, whether it comes to voter registration or provisional voting.

When one voice is stifled because of outdated election procedures, it stifles our collective system. Mr. Speaker, as a Nation. And none of us should tolerate it any more.

Mr. NEY. Mr. Speaker, I would like to inquire as to how much time is remaining.

Mr. HOYER. Mr. Speaker, I yield 1½ minutes to the gentleman from New York (Mr. GRUCCI).

Mr. GRUCCI. Mr. Speaker, I would like to thank the chairman for yielding me this time, and I rise today in support of H.R. 3295, the Help America Vote Act.

After experiencing the confusion and the uncertainty of the 2000 election, Congress must act to restore America's confidence in our voting system. H.R. 3295 does just that. This bill will strengthen our election system while ensuring lawful and impartial voting for every citizen.

Mr. Speaker, our government is based on participation by every citizen. The voice of the citizens in our government is heard through their vote. This legislation will ensure that every voice be heard. This bill not only allows citizens to vote with peace of mind, but also strengthens our democratic process.

The Help America Vote Act authorizes $400 million to buy out the problematic and outdated punch card voting machines, as well as establishing minimum standards for State election systems. Some of the requirements include that States have a voter registration system linked to local jurisdictions, systems to maintain the accuracy of voter registration records, and the adoption of uniform standards defining what constitutes a vote.

At a time when we honor the service of our brave men and women overseas, this bill includes a system to ensure that both uniformed military men and women and overseas voters have their votes counted.

As a member of the Committee on Science, I am proud to see that some of our provisions that our committee...
passed earlier this year are included in H.R. 3295. One of the key provisions of the bill is the creation of the Help America Vote College Program. This important program would encourage college students to assist State and local governments in the administration of local elections by registering nonpartisan poll workers. By energizing our college students, we encourage young people to speak out, using both their voice and vote, to become more active in their government.

Mr. NEY. There is a great need to improve the way our election system operates in America. We need to ensure that all Americans have their voices heard at the polls and their votes recorded fairly. I encourage all of my colleagues to support H.R. 3295.

Mr. HOYER. Mr. Speaker, I yield such time as he may consume to the gentleman from Ohio (Mr. NEY) and the gentleman from Maryland (Mr. HOYER) for the development of this legislation. I also thank the gentlemen for working with me and my colleagues, the gentleman from Illinois (Mr. DAVIS) and the gentleman from Maryland (Mr. EHRLEICH), to ensure that individuals who are visually impaired and blind are able to vote independently. We appreciate the inclusion of much of our amendment in the manager's amendment.

Mr. Speaker, the question I would like to ask the gentleman from Ohio is what does the gentleman envision by the term "fully accessible" as it relates to the bill?

Mr. NEY. Mr. Speaker, will the gentleman yield?

Mr. DAVIS of Illinois. I yield to the gentleman from Ohio.

Mr. NEY. Mr. Speaker, I thank the gentleman for this very important question and expectation that "fully accessible" would mean that blind persons would have the ability to vote in private and have the ability to independently verify the vote cast.

Mr. DAVIS of Illinois. Mr. Speaker, I certainly appreciate that clarification and share the gentleman's expectation. I feel there is nothing more important than the right to the franchise and for the ability for all people to exercise that ability freely and securely. Again, I thank the gentleman for his accommodation and thank the gentleman for the development of this legislation.

Mr. NEY. Mr. Speaker, if the gentleman would continue to yield, I thank the gentleman for his very important work on this issue, and also for the work of the gentleman from Illinois (Mr. SHIMKUS).

Mr. Speaker, I yield 1 minute to the gentleman from Ohio (Mr. PORTMAN). Mr. PORTMAN. Mr. Speaker, there is a broad consensus in this country that we need to make some commonsense changes to our election laws. I commend the gentleman from Ohio (Chairman NEY) and the gentleman from Maryland (Mr. HOYER), the ranking member, for reflecting those wishes from around the country and bringing them here to this House today to pass what is a truly bipartisan, truly common sense approach to making our elections work better.

There is a lot to like about this bill. It provides States that still use punch-card voting systems with necessary funding to replace those outdated systems as something that came up in the last Presidential election, and something that needs to be addressed. It is not only a bipartisan issue, it is a nonpartisan issue that people care about at the local level. It also takes steps to see that States will set up state-wide voter registration systems and make sure that voter rolls are properly maintained, which is very important to the integrity of elections.

It also encourages high school and college students to become nonpartisan poll workers to get involved in the system. But doing all that, it also respects the fact that State and local government must continue to be the overseers of the process of elections. There is a lot to like in this bill, including the way in which these two gentlemen put it together. I commend them and urge support from both sides of the aisle.

Mr. HOYER. Mr. Speaker, I yield myself 10 seconds.

Mr. Speaker, I want to say to the gentleman from Ohio (Mr. PORTMAN), I thank the gentleman for his words. There are, frankly, not very many better legislators in this Congress than the gentleman from Ohio (Mr. PORTMAN). He has done some extraordinary work through the years, and I appreciate his comments. I want him to know what a positive partner, as I said at the beginning of this process, the gentleman from Ohio (Mr. NEY) is.

Mr. Speaker, I yield 2 minutes to the gentleman from Rhode Island (Mr. LANGEVIN), a former Secretary of State of Rhode Island.

Mr. LANGEVIN. Mr. Speaker, today I rise in support of H.R. 3295, the Help America Vote Act. Fixing the shortcomings in our election system is no easy task, and I commend the gentleman from Ohio (Mr. NEY) and the gentleman from Maryland (Mr. HOYER) for their tireless efforts to craft strong, bipartisan legislation, and for allowing me to assist in its development.

As Rhode Island's Secretary of State, I replaced our ancient lever voting machines with state-of-the-art voting equipment and created a system guaranteeing that every vote is counted and every person with a disability has 100 percent voting access; and that is exactly what we must demand in every State.

H.R. 3295 will let States like Rhode Island build on their successes. By counting State expenditures for ongoing election improvement programs toward the 25 percent State match requirement, these model States may implement new and innovative accessible voting technologies and serve as even better models for other States to emulate.

The Help America Vote Act also sets minimum standards for election administration and voting accessibility. Because 84 percent of the Nation's polling places are inaccessible to the physically disabled, I strongly encourage State election officials to follow Rhode Island's cost-effective model and guarantee all Americans the fundamental right to vote independently.

This bill offers many good improvements, but we must go further. We must ensure full voting access to all people with disabilities. I have advocated for the access board to develop national standards and deadlines for polling place accessibility, and I will continue to push for this mandate.

Today's legislation will lay the foundation of a great new era of public participation in the electoral process. While it is not a perfect bill, it is an important first step in addressing the inequities of our Nation's voting systems, and I encourage my colleagues to support it.

Mr. Speaker, I yield myself 1 minute to the gentleman from Delaware (Mr. CASTLE).

Mr. CASTLE. Mr. Speaker, I thank the gentleman from Rhode Island (Mr. LANGEVIN). He has brought his expertise as Secretary of State to the table here in the House and has been a terrific resource working with us throughout the process.

Mr. Speaker, I yield 1 minute to the gentleman from Delaware (Mr. CASTLE).

Mr. Speaker, I thank the gentleman from Rhode Island (Mr. LANGEVIN). He has brought his expertise as Secretary of State to the table here in the House and has been a terrific resource working with us throughout the process.

Mr. Speaker, I thank the gentleman from Rhode Island (Mr. LANGEVIN). He has brought his expertise as Secretary of State to the table here in the House and has been a terrific resource working with us throughout the process.

My State happens to be very advanced. We have a fully electronic system, and while some States such as Delaware have such a modernized voting system, we will be able to use these funds for voter outreach and training poll workers and making polls more accessible to disabled voters. There are a lot of good things in this bill.

Mr. Speaker, these gentlemen deserve congratulations; but I would like to speak to a couple of things. One, since I have been involved in elected politics, and I have seen all kinds of problems in Wilmington, Delaware, and the State of Delaware, I have seen a lot of improvements. The sanctity of the vote to people is of extraordinary importance. Americans have the right across the United States of America to feel that their vote is going to be counted and that the vote counts as much as the President of the United States. That is at the heart of democracy, and that is why it is so important that Congress speaks to this today.

The fairness of elections is important. We need to focus; it is not the Supreme Court, but the people of the United States of America who are deciding who our elected officials are...
Mr. HOYER. Mr. Speaker, I yield 1 minute to the gentleman from Missouri (Mr. CLAY).

Mr. CLAY. Mr. Speaker, I rise in support of the Help America Vote Act of 2001. I do this with some reservations. However, it is necessary that we pass this bill today. I thank the gentleman from Ohio (Mr. NEY) and the gentleman from Maryland (Mr. HOYER) for their persistence in bringing this bill to the floor.

The election of 2000 disenfranchised millions of voters and illustrated the shambles in which we find our current voting system. The right to vote is sacred and guaranteed by the Constitution. This right was made a mockery during the election of 2000. Congress must act to guarantee that every single vote is counted, and that did not happen in 2000.

Many citizens have died trying to secure and protect the right to vote in this country. James Chaney, Michael Schwerner, and Andy Goodman died in Philadelphia, Mississippi, in 1964 because of their efforts to protect the right of others to vote. I will not let their legislation die in vain. I hope that other Members of this body share that sensitivity. The bill is not perfect, but it is a compromise and a work in progress. Let us keep the process alive and vote for this bill. Let us send it to the Senate and allow them to work their will on their side.

The SPEAKER pro tempore. Does the gentleman from Ohio, the manager of the bill, yield for a unanimous consent request?

Mr. NEY. Mr. Speaker, I yield 1 minute to the gentleman from Oklahoma (Mr. ISTOOK).

Mr. ISTOOK. Mr. Speaker, I appreciate the efforts of the gentleman from Ohio (Mr. NEY) and all Members who have been involved in this legislation. Many of us have a concern, however, that although this addresses with some special funding States who have not been as diligent about updating their electoral machinery, although States which have been more apathetic are rewarded under this, there is no reward, no incentive, for States which have been diligent.

My State of Oklahoma is one such diligent. State, Oklahoma spent $20 million to create optical scanning voting equipment in every precinct in every county in Oklahoma. I applaud the foresight of our former State election board secretaries, Lee Snyder and Lance Ward, in doing so. The amendment, which was intended to be a part of a manager’s amendment that ended up not being, is simply to say that States which have funded an optical scanner or electronic system on a state level would be reimbursed at the same per-precinct rate as States whose equipment we seek to replace under the bill.

The SPEAKER pro tempore. (Mr. LAHOOD). Is there objection to the request of the gentleman from Oklahoma?

Mr. FASCRELL. Mr. Speaker, I object.

The SPEAKER pro tempore. Objection is heard.

Mr. HOYER. Mr. Speaker, I yield 1 minute to the gentleman from Maryland (Mr. CARDIN), the former Speaker of the House in Maryland.

Mr. CARDIN. Mr. Speaker, first, I congratulate the gentleman from Maryland (Mr. HOYER) and the gentleman from Ohio (Mr. NEY) for passing the legislation in which they have brought forward this legislation. Along with the generous efforts from Maryland (Mr. HOYER) and other Members of this body, I serve as a representative on the Commission on Security and Cooperation in Europe. That group monitors human rights and democratic issues in the European countries, the United States, and Canada. We have the responsibility at times to monitor elections in developing countries.

My point, Mr. Speaker, is that if our 2000 election was monitored by that body, it would not have passed international standards. I congratulate all those responsible for bringing forward this legislation because it is an appropriate Federal response to start us down the road to guarantee to the American people that our State election process will, in fact, count every vote. It is the way that we should begin. It is important that we pass this bill.

Mr. Speaker, I rise today in strong support of H.R. 3295, the Help America Vote Act. The House Administration Committee for voting in a bipartisan manner to bring this legislation to the floor. I am pleased to be an original co-sponsor of this very important legislation.

It has been a full year since the contested presidential election of 2000 which tested our electoral institutions and exposed massive flaws in the system. The American people understood that our democratic process is more important than the victor, and the Americans accepted the outcome as final. That said, we must ensure that we as a nation never have to go through such an experience again. There must never be a question as to whether every vote was counted. We are the strongest democracy in the world and every American must be secure in knowing that his or her vote counts.

Mr. Speaker, this landmark legislation authorizes $2.25 billion for fiscal years 2002 through 2004 to pay states for specified activities related to administering elections. In order to receive federal funding under this program, states must provide at least a 25% match of the federal funds. The bill authorizes the use of funds for states to replace punch card voting systems with more reliable voting systems, or to upgrade their existing voting equipment. Specifically, the bill authorizes $400 million for one-time payments to states or counties to replace punch card voting machines and voting systems in time for the November 2002 elections.

The bill also establishes an Election Assistance Commission, with a $10 million annual budget, that would serve as a clearinghouse for information on federal elections, oversee the development of voluntary election standards, and provide funds to states to improve election administration. The bill also includes provisions intended to facilitate absentee voting by military and other overseas voters.

The bill requires states to adopt minimum election standards, and to make several important changes in their voting systems, including: a statewide voter registration system linked to local jurisdictions; in-precinct provisional voting when questions arise about a voter’s eligibility; a system for maintaining the accuracy of voter registration records; standards defining what constitutes a vote on different types of voting equipment; assurances that military and overseas voters will have their votes counted; assurances that voters have the opportunity to correct errors; and provisions designed to help voters with disabilities to cast secret ballots.

Mr. Speaker, I am also aware that for some civil rights organizations that this legislation does not go far enough to ensure every American’s right to vote and to have every vote counted. I sympathize with this view, and would like to note that I am a co-sponsor of H.R. 1170, the Equal Protection of Voting Rights Act, introduced by the ranking member of the Judiciary Committee, Mr. CONYERS. H.R. 1170 seeks to strengthen federal Voting Rights Act protections for citizens pursuant to the guidelines set down by the United States Supreme Court in Bush v. Gore. In some respects H.R. 1170 goes farther to strengthen voting rights protections than H.R. 3295, and I would therefore urge the Judiciary Committee to get up and report this legislation to the full House during the second session of the 107th Congress.

However, Mr. Speaker, we cannot allow the perfect to be the enemy of the good. The Help America Vote Act provides unprecedented federal resources to the states to modernize and upgrade their voting systems. The bill also requires states to adopt minimum election standards that will ensure that every vote is counted.

There are other very important provisions in H.R. 3295 that I would like to address.

For example, the bill strengthens existing civil rights protections. The bill is the first legislation to be reported by a house Committee that specifically requires state compliance with the existing applicable requirements of the ADA in the administration of elections. By expressly linking the ADA to elections, H.R. 3295 will give courts solid legislative foundation to apply ADA protections to the voting process. Moreover, one of the eligibility requirements for election assistance funding under H.R. 3295 is that there be at least one polling place in every precinct or a polling place that is fully accessible to voters with disabilities. Furthermore, it must be noted that the Help America Vote Act requires states
Mr. HOYER. Mr. Speaker, I yield 1 minute to the distinguished gentleman from Oregon (Ms. HOOLEY).

Ms. HOOLEY of Oregon. Mr. Speaker, first I would like to thank the gentleman from Ohio (Mr. NEY) and the gentleman from Maryland (Mr. HOYER) and the committee for the terrific job they have done on a piece of legislation that we need to pass.

I rise today to engage in a colloquy with my colleague from Maryland.

Millions of Americans now enjoy the convenience and security of voting at home by absentee ballot or, in my State, through an all vote by mail system. Is there anything in this bill that would define the home as a polling place with the intention of stopping or curbing absentee and at-home voting or, as we know it, vote by mail?

Mr. HOYER. Mr. Speaker, will the gentlewoman yield?

Ms. HOOLEY of Oregon. Mr. Speaker, I yield to the gentleman from Maryland.

Mr. HOYER. Mr. Speaker, I yield 2 minutes to the gentleman from North Carolina (Mr. PRICE), on behalf of the most distinguished members, a professor of political science, the author of many books on politics, who probably understands the election system as well as any of us.

Mr. PRICE of North Carolina asked and was given permission to revise and extend his remarks.

Mr. PRICE of North Carolina. Mr. Speaker, I thank the gentleman for his kind words, and I am proud to stand in support of this bill.

Mr. Speaker, last year’s election revealed dangerous cracks in our voting system. This was most obvious in Florida where a month-long spectacle left Americans skeptical of the fairness and the legitimacy of our election system. But the problems were not limited to Florida. Studies have indicated that the votes of more than 6 million Americans went uncounted during last year’s election cycle. The American people deserve better than that. They expect real election reform that ensures that every single vote counts and is counted.

H.R. 3295 takes a significant step toward improving the integrity of the election system and making certain that every vote in the bill grants $2.25 billion to help States educate voters about their rights; to improve equipment, ballots, and voter information; to recruit and train poll workers, and to improve access for disabled voters. The States would be required to implement basic standards for fair and accurate voting. This would include a statewide voter registration system linked to every jurisdiction. It would end punch card voting for voters whose credentials are challenged, and means for voters with disabilities to cast secret ballots.

H.R. 3295 also incorporates and builds on legislation I helped author, the Voting Rights Improvement Act. In particular, it would provide $400 million, up to $6,000 per precinct, to buy out unreliable and outdated punch card machines, the type of equipment that has the highest error rate.

Punch card machine use is widespread. Thirty-four percent of the American people cast their votes on this kind of machinery, including eight counties in my State of North Carolina. But a 12-year study done by Columbia University found the error rate for punch cards was unacceptably high, almost 3 percent nationwide. That means a million votes have been lost since 1988 due to punch card machine error and malfunction.

Mr. Speaker, now more than ever, we need to make certain that every American can participate fully and with confidence in our democratic form of government. We must ensure that every vote is counted. I urge my colleagues to take a significant step toward achieving this goal by joining me in support of H.R. 3295.

Mr. HOYER. Mr. Speaker, I yield 30 seconds to the distinguished gentlewoman from New York (Mrs. MALONEY) who has done as much for counting every American as anybody in America and who has done as much for overseas voters as anybody in America working with our colleague, the gentleman from New York (Mr. REYNOLDS).

Mrs. MALONEY of New York. Mr. Speaker, I thank the gentleman for his kind words and his leadership and congratulate him and the gentleman from Ohio (Mr. NEY) for bringing this important bill to the floor which takes steps to correct the registrationballoting and vote counting problems that disenfranchised so many Americans last year.

I also want to thank my good friend from the great State of New York (Mr. REYNOLDS) for being an important voice for the voting rights of Americans living abroad. We introduced a bill together, the Uniformed and Overseas Citizen Absentee Voting Reform Act and many of the elements of this bill are incorporated in the underlying important bill.

Though this legislation isn’t perfect it’s a positive step toward preventing another presidential election disaster. The bill includes several improvements to the election process, including authorizing funds to help states and counties replace outdated punch card voting.
system. In addition, the bill establishes a minimum standard for state election systems to ensure that votes cast on all types of equipment are counted.

I would like to take a moment to discuss my concerns about the difficulty of Americans living abroad and participating in our election process. Congressman MENENDEZ introduced H.R. 99060, the Uniformed and Overseas Citizen Absentee Voting Reform Act of 2001. Though not all of the provisions of that legislation are included in this bill, this legislation does include many helpful provisions.

One would allow an absentee ballot application to apply to two consecutive general federal elections. These applications can be particularly difficult to obtain for overseas residents whose Board of Election in the U.S. do not keep regular business hours.

Another provision requiring the collection and publication of statistics on overseas voting by the states will fill a serious gap in our overseas voting monitoring system. The legislation also contains provisions to promote participation in voting assistance programs. They include designating voting assistance officers on military installations, and designating an officer in each state, whose sole responsibility is to provide information on voter registration procedures and an absentee ballot application to any overseas citizen.

Passing the Help American Vote Act of 2001 would be a victory for the Democratic process. I urge a "yes" vote.

Mr. NEY. Mr. Speaker, I yield 1 minute to the gentleman from Indiana (Mr. Pence), Mr. HOYER.

Ms. JACKSON-LEE of Texas. Mr. Speaker, let me quickly express my appreciation for the leadership of the gentleman from Ohio (Mr. NEY) and the gentleman from Maryland (Mr. HOYER). It has not been an easy job for them, and I understand that because they have worked on this issue all year. They have reached out and attempted to address what we consider a very fundamental right in any democracy, and most especially this one.

Winning and losing is all a part of democracy. All of us can accept that, as long as we know that we can look upon this board and count the numbers correctly and get the results. The least we ask is for when people vote, that their votes be counted. We must make absolute certain that the vote be counted with the machinery that is needed.

I can appreciate the positive points in this bill of assisting those States who need assistance to implement this bill. I am hoping that as this bill moves along, it will be corrected and improved with more collaboration with the Senate side in conference. I do feel, however, that this is a step in the right direction.

Mr. HOYER. Mr. Speaker, I am pleased to yield 30 seconds to the distinguished gentleman from Texas (Ms. JACKSON-LEE).

Ms. JACKSON-LEE of Texas. Mr. Speaker, let me thank the gentleman from Ohio (Mr. NEY) and the gentleman from Maryland (Mr. HOYER). After the Florida election debacle, we deserve a response. I would only say that this is a step in the right direction. The gentleman from Maryland knows that I would have voted against the rule and I am committed to address the very serious problems of democracy, and most especially this one.

I can appreciate the positive points in this bill of assisting those States who need assistance to implement this bill. I am hoping that as this bill moves along, it will be corrected and improved with more collaboration with the Senate side in conference. I do feel, however, that this is a step in the right direction.

Winning and losing is all a part of democracy. All of us can accept that, as long as we know that we can look upon this board and count the numbers correctly and get the results. The least we ask is for when people vote, that their votes be counted. We must make absolute certain that the vote be counted with the machinery that is needed.

I can appreciate the positive points in this bill of assisting those States who need assistance to implement this bill. I am hoping that as this bill moves along, it will be corrected and improved with more collaboration with the Senate side in conference. I do feel, however, that this is a step in the right direction.

Let me close by saying no matter what we do in election reform, we have to make sure we have a national holiday. I hope we will address the question of veterans from the military and the section that addresses the disabilities issues and a lot of the civil rights issues, not specifically addressed in the Election Reform bill. I believe that Congress must have a bill that can be signed by the President that includes the Conyers and Dodd legislative provision on Election Reform. But I do believe we have made the right decision to address the need for Election Reform by debating this legislation today.

The bill also deviates from current federal law to voting machines that perform accurately. The bill fails to ensure, regardless of race or ethnicity, that the voters have access to voting machines that perform accurately. The bill also deviates from current federal law by allowing for voter names to be purged by the county election official. The bill also deviates from current federal law by allowing for voter names to be purged by the county election official. The bill also fails to address the very serious problems of democracy, and most especially this one.

One of the most important issues in American today: electoral reform. I was pleased that the Judiciary Committee continued to address this serious issue, so that we can finally remedy the systemic disenfranchishment of voters evinced most dramatically and tragically by the 2000 presidential election.

The need for comprehensive electoral reform legislation is clear. The report issued by Caltech and MIT, as many as 6 million Americans were denied their fundamental right to vote and to have their votes counted.

Most recently, in last month's Houston Mayoral runoff in Harris County, Texas, which I also present, I am a computer sleuth and I quote, access to the county's voter registration data base. As a result, voters were either turned away from the polls or were told by election officials that they could only vote if they had voter registration cards. Many could not vote at all.

The legislation before us today, H.R. 3295, is one of numerous efforts to reform a system which clearly needs fixing. As the Chair of the Congressional Election Reform Caucus, I applaud such efforts and would like to thank Congressman NEY and HOYER for their efforts.

However, I am concerned with several problematic provisions in the bill which have the potential for the bill to fail short of the kind of comprehensive legislation that would ensure that every American's vote is count and counted, particularly the aspect of the legislation that makes these standards voluntary and not mandatory.

I am particularly offended by the decision of the Rules Committee to preclude amendments to this legislation which would remedy several provisions that need correcting. For example, under Congressman MENENDEZ's proposed amendment, provisional voting which would help eliminate voting disparity, would have been included in the bill. Similarly, an amendment by Congressman DANNY K. DAVIS would have addressed the very serious problems of voter intimidation and fraud. Unfortunately, because of the closed rule, productive provisions like these will not appear in this bill.

Opponents of this bill in its current state make a compelling argument that it may actually reverse voting protections as provided under current law. First and foremost, the bill lacks standards requiring accessibility to voting for language minorities, disabled voters, and the elderly. Additionally, the bill lacks standards for educating voters as to where and how to vote. Moreover, the minimum standards included in the bill are generally unenforceable because actions can only be taken against a state for failing to meet "standards" if the newly created federal agency receives credible information that the state has submitted false information. As such, the new agency would have no authority to gather information from the states.

Other problematic provisions are numerous. For example, the bill fails to ensure that Americans are allowed to cast important provisional ballots where their eligibility is questioned at the polls. The bill fails to ensure, regardless of race or ethnicity, that the voters have access to voting machines that perform accurately. The bill also deviates from current federal law by allowing for voter names to be "purged" from the voting rolls, and fails to provide protections ensured by reliable statewide voter registration lists. Finally, the bill fails to ensure that voters with disabilities are adequately assured of their voting rights, and fails
to ensure that all voters have access to machines that are easily and universally operable.

Alternatively, I believe that we should strongly consider the recent bi-partisan efforts of Senators DODD and DASCHLE, and Representatives CONYERS and MORELLA in the recent introduction of S. 565/H.R. 1170, the "Equal Protection of Voting Rights Act". This bill would provide greatly needed grants to states and locales for federal election administration systems that are part of state plans developed by the Governors and approved by the U.S. Attorney General. The requirements in the above legislation, S. 565/H.R. 1170 are mandatory, I am an original co-sponsor of that legislation.

Under H.R. 1170, states would have to include uniform national standards for accessibility, nondiscriminatory standards addressing election technology, provisional voting and sample ballots, and would be mandated to provide funds for voter education and worker training programs. Additionally, a truly bipartisan Commission on Voting Rights and Procedures established, consisting of 12 members; 6 appointed by the President, 3 appointed by Senate Minority Leader, and 3 appointed by House Minority Leader. The Commission would examine issues, develop "best practices" and issue a report within one year.

The bill would also include consideration of some of the best ways for the federal government to permanently assist state and local governments. H.R. 1170 is an important effort on behalf of America's right to vote deserving of all our support.

Additionally, I would like to raise several key issues not addressed in either bill which are deserving of our attention. First, beyond the egregious voting irregularities already noted, millions of Americans were denied their fundamental right to vote simply because they were unable to vote due to prior work commitments. This is the phenomenon of voting disparity present in most elections in America between those who can afford to take time off work to vote and those who cannot. In fact, this perpetual disparity threatens the very fabric of our representative democracy.

In August, 2001 the non-partisan National Commission on Federal Election Reform, also known as the "Ford-Carter Commission" attempted to remedy this problem when it issued its policy recommendations with respect to electoral reform. Its premature recommendation for an Election Day holiday was as follows: "in evenly numbered years the Veterans Day national holiday be held on the Tuesday next after the first Monday in November." I take exception with this recommendation because it is precisely because of the sacrifices made by our Nation's Veterans for our freedom, our flag, and the American people that we are today able to vote. Their sacrifice, particularly in light of the September 11 attacks and the ongoing war on terror, reminds us that we cannot take our freedoms and democracy for granted. As such, this important day should be preserved and honored at all costs. That's why, on March 7, 2001 I introduced H.R. 934 which ensures that the fundamental right to vote is guaranteed to every citizen of the United States without interference with Veterans Day. H.R. 934 establishes Presidential Election Day on the Tuesday next after the first Monday in November in 2004 and each fourth year thereafter, as a legal public holiday so that all Americans can vote irrespective of their economic status. Importantly, it also recognizes the sacrifices of Veterans and the sanctity of Veterans Day by ensuring that Election Day never falls on Veterans Day.

I feel strongly that these issues should be noted in any discussion related to electoral reform.

While I thank the sponsors of H.R. 3295 for their efforts to reform our badly corrupted election system, the bill is lacking in several key areas, where other bills do not. The many areas for improvement in this bill should be addressed.

Mr. HOYER. Mr. Speaker, it gives me a great deal of pleasure to yield 1 minute to one of my very good friends in this House, the gentleman from Florida (Mrs. MEEK), who represents so ably South Florida, a former member of the State Senate.

Mrs. MEEK of Florida. Mr. Speaker, I thank the gentleman from Maryland (Mr. HOYER) and the gentleman from Ohio (Mr.NEY) for giving me this opportunity. It took me a very long time to get here. My father and my mother could not have stood here and expressed themselves as I am going to do today, I am thankful for that opportunity. It could be better, but we are at the point now to make it as good as we can.

Some good writer said a long time ago that the punch card machine was not the enemy of the good. I repeat it. Perfect should not be the enemy of the good. This bill is not a perfect bill, but it is a very perfect step. Many of the things that we have wished for and as I stood with my poor colleagues and poor constituents in Florida on Election Day, had you been there with me, you would have been happy today to come here and say "yes" on this bill, because you will have told this country you have helped America understand that even thought how they come from or what their nationality is, that this Congress would one day address this, even if by minimal standards only.

I want to thank again the gentleman from Maryland and the gentleman from Ohio for this bill.

Mr. HOYER. Mr. Speaker, I yield 2 minutes to the gentleman from Florida (Mr. DAVIS), one of the members of the Committee on House Administration who, under the leadership of the Democratic leader with the Republican leader that worked together on election reform. He has been one of the most tenacious and effective advocates of meaningful election reform.

Mr. DAVIS of Florida. Mr. Speaker, at stake on Election Day was not just the selection of Al Gore or George W. Bush as President of the United States.

What was at stake was the legitimacy of the process by which we made that choice. The bitter truth is that in Florida, my home State, the margin of error exceeded the margin of victory. Our fragile and somewhat faulty election system collapsed under the weight of the most closely contested presidential election in my lifetime.

The ultimate tragedy was that one year ago today when the Supreme Court effectively ended the recount, many Americans who voted on the losing side of that decision had lost confidence in the legitimacy of the process. My State, Florida, as well as many other States, has been through as much soul searching on this problem and how to avoid repeating it than perhaps any State. We came to some clear conclusions that were adopted in a State law that was enacted in Florida earlier this year.

The crux of that solution, which is addressed in this bill today, is to replace the punch card machine with a technology that allows the voter the opportunity to verify that his or her vote is both complete and accurate.

This bill authorizes $400 million to Florida and States across the country to make that change. At a time in which the economy is dipping and State and local revenue is at a shortage, it is more important than ever that we adopt this bill and appropriate the entire $2.65 billion not just to replace the punch cards but to educate voters, to train and recruit poll workers so that what happened in Florida will never happen again throughout the entire country. And when we have the next election for President or any election, regardless of how people vote, they will have confidence in the legitimacy of the process by which we as a democracy select our leaders.

Mr. HOYER. Mr. Speaker, I yield 30 seconds to the gentleman from Virginia (Mr. MORAN).

Mr. MORAN of Virginia. Mr. Speaker, the greatest democracy in the world deserves the best and most equitable electoral system. This bill will restore voter turnout and, most importantly, voter confidence. What happened a year ago was neither fair nor right. It was not fair to either of the candidates. This will ensure that we have fair, equitable elections; and I strongly urge unanimous support for this bill.

This legislation will ensure that all votes cast in elections count. It will assure that all states must meet minimum voting standards. It will also establish a new federal agency, the Elections Assistance Commission, to develop standards for voter registration, voter assistance, and programs for those citizens who serve in the military or live abroad, and vote counting.

The Ney-Hoyer bill also mandates that those jurisdictions that are receiving funds under the punch card replacement program, must consider the use of new technology by citizens with physical disabilities such as blindness.

Let us send a message to the American people, to our students and newly naturalized citizens eager to vote for the first time. Let that message be that we will build the best, most equitable electoral system possible.

This legislation is our best chance of increasing voter turnout and voter confidence in our electoral system.

Mr. HOYER. Mr. Chairman, I yield myself 40 seconds to enter into a colloquy with the gentleman from Ohio (Mr. NEY).

Mr. Speaker, I have heard from some individuals who are concerned, as I am, that the section in this bill that clarifies the National Voter Registration Act, section 902(a), does not make reference to subsection (e) of 1973-g--g of that act.

Is it the gentleman’s understanding that this subsection (e) will remain in full force and effect with the passage of this bill?

Mr. NEY. Mr. Speaker, will the gentleman yield?

Mr. HOYER. I yield to the gentleman from Ohio.

Mr. NEY. To answer the question, Mr. Speaker, and to my distinguished colleague from New York (Mr. BOEHLERT), I appreciate the chairman.

Under these standards all voters must have the opportunity to cast provisional ballots when there is confusion over registration information drops them from the roll.

Mr. Speaker, I am pleased to yield 30 seconds to my friend, the gentleman from New York (Mr. BOEHLERT), I might say at the request of my distinguished chairman. I am pleased to accede to his request.

Mr. BOEHLERT. Mr. Speaker, the gentleman is getting much too concerned. These provisions, voters will be disenfranchised because the result of the purge is that they are not properly registered and, thus, cannot then be able to cast the safeguard of a provisional ballot to vote.

Additionally, H.R. 3295, as it is currently drafted, also eliminates the “fail safe” provision of the NVRA which allows voters to correct erroneous information that caused the purge and then confirm their address in writing so that they can cast their ballot at the polling place. (42 U.S.C. §1973gg-6(g)). Without this provision voters can be removed from the poll with no opportunity to correct inaccurate information and will also not be able to cast an effective provisional ballot because the erroneous registration information drops them from the registration list so election officials will be unable to count the provisional ballot.

Finally, H.R. 3295 does not require full compliance with federal voting rights laws and offers no check on states to make sure they are in compliance. It is essential to election reform that as states contemplate how they will spend federal money there is a means to ensure that they are currently in compliance with existing federal voting rights laws. H.R. 3295 offers no such provision. This bill by simply allowing states to self certify their compliance, and only in area of “administering election systems” (which narrows where states need to be in compliance), offers no real protection for taxpayers as states spend millions of federal dollars without having to be in compliance with federal law. True election reform must have in place a mechanism that requires the Attorney General to check for compliance prior to re-leasing funds for electoral reform. These provisions make clear, and other elements of the legislation confirm, that H.R. 3295, cannot meet the concerns and problems that voters continue to face at polling places around the country. Going part of the way, as H.R. 3295 would have us do, and turning back the clock on important current voting rights laws, is not an acceptable legislative compromise that having to be in compliance with the right to vote. True election reform must safeguard existing law and then move to solve the problems.
I urge members to vote “no.”

Mr. HOYER. Mr. Speaker, I yield myself the balance of my time.

Mr. Speaker, we have come to a time after 11 1/2 months of work on a bill which, although there is still controversy attached to it, has created, I think, great consensus. That consensus has been articulated on this floor, and that consensus is a conviction that every American ought to be assured the right to vote, full access to the polls and education so they know what they are voting for or against, and assistance in making sure that their vote is accurately cast.

In addition, we dedicate resources to ensure that the technology, once that citizen has voted, to make sure that that citizen’s vote is correctly counted. As has been said on both sides of the aisle, it is central to democracy that that happen.

The gentleman from Delaware, one of our most respected colleagues, the gentleman from Delaware (Mr. CASTLE), said it best, that when on election day we vote and Americans go to the polls and passers go to the polling place, and each will have his or her vote counted, and it will count equally.

That is the majesty of America; that is the general use of our democracy. That is central to our philosophy, and it must be our continuing commitment. For when one American’s vote is not counted, when one American is prohibited by whatever means from coming to the polls, from casting their ballot, from participating in democracy, we lessen that democracy, and we lessen the promise of our Founding Fathers.

The gentlewoman from Florida (Ms. BROWN) said it best I think on this floor: “This bill perhaps is not perfect, but it is,” as she said, “a perfect beginning.”

Mr. Speaker, I urge all of my colleagues to vote for the Help America Vote Act.

Mr. NEY. Mr. Speaker, I yield 1 minute to the gentleman from Illinois (Mr. KIRK).

Mr. KIRK. Mr. Speaker, I would like to thank the gentleman from Ohio (Chairman NEY), the gentleman from California (Chairman THOMAS), the gentleman from Maryland (Mr. HOYER), the gentleman from Rhode Island (Mr. LANGEVIN), and the gentleman from New York (Mr. REYNOLDS) for their support for my language which will allow polling places near military facilities.

This language clarifies an arcane statute that outlaws “military presence at voting facilities.” It allowed the Department of Defense to vastly overreach their legislative authority in 1999 to ban polling on military bases. Nothing damages the military franchise more than this action.

The U.S. Code that our language amends was enacted in 1865 in response to irregularities during the 1863 elections. At that time it was an appropriate response. However, the 1999 DOD interpretation made voting for our men and women in uniform very difficult. When the DOD issued the directive to base commanders banning voting, it forced existing polling places to be closed; and according to CRS in an April 2000 survey, at least 20 States had to close polling places that were vulnerable. Some of these places had been voting for over 15 years.

It is time to return control of voting to local officials. I applaud the gentleman for putting this in and assuring that our military franchise is upheld. Mr. NEY. Mr. Speaker, I yield 25 seconds to the gentleman from California (Mr. CUNNINGHAM).

Mr. CUNNINGHAM. Mr. Speaker, I thank the gentleman for yielding me time.

Mr. Speaker, both sides had problems with the election. I think the number of problems was things such as the dispatchment of hundreds of lawyers trying to disenfranchise our military from voting based on technicalities. I am also glad that this bill allows our military to vote on bases, because in many of those places women themselves cannot get off base for transportation. I want to thank both Members for this.

I would also like to thank the gentleman from Ohio (Mr. NEY) for during the anthrax scare on the Committee on House Administration, for his team working diligently with the gentleman from Maryland (Mr. HOYER) in correcting that.

Mr. NEY. Mr. Speaker, I yield myself the balance of my time.

Mr. Speaker, in conclusion, let me just say that our patriots who founded this country and the veterans have over the years sacrificed for the greatest democracy, which we are humble to be a part of.

Langston Hughes, the great American poet, said, “Dream your dreams; be willing to pay the sacrifice to make them come true.”

Many people have sacrificed to have our democracy so we can have our debate. What we are doing today is coming together to keep that dream alive, to keep it moving, and to help America vote.

I urge support of the bill.

Mr. HOYER. Mr. Speaker, I submit for the RECORD a copy of the accompanying Section 502(7) on page 16 of H.R. 3295, Union Calendar 201, regarding the term “error.” In using the term “error”, the Committee on House Administration referred to the findings of the National Commission on Federal Election Reform, also known as the “Ford-Carter Commission.”

The Commission’s definition of “error” is set forth in the accompanying letter from Philip Zelikow, executive director of the National Commission on Federal Election Reform, to me and dated November 16, 2001. It responds to a letter sent by me dated November 14, 2001. In complying with the Minimum Standard, the Committee on House Administration expects states and jurisdictions to buy voting machines that detect errors of the kind described in the letter, commonly referred to as “overvotes,” “undervotes,” and “residual votes.”

The two letters follow:

DEAR DIRECTOR ZELIKOW:

There is no doubt that tens of thousands of voters were disenfranchised in the election. It is quite probable that similar numbers have been disenfranchised in other elections, but the closeness of the 2000 presidential election highlighted the problem more than other.

A nation that can launch a craft to a space station hundreds of miles above the earth, should be able to count every ballot accurately.

I believe the federal government must take a leading role in this effort by establishing minimum voting standards and providing funding to modernize voting systems. When you introduce technology into an election, it leaves
The American people expected that, by now, the 2000 election was decided in the polling place instead of the courts. Today, the U.S. House of Representatives, by considering the Help America Vote Act of 2001, a comprehensive reform bill introduced by Representative JOHN CONYERS. That legislation, which is endorsed by civil rights, labor, disability and voter rights organizations, is the benchmark for true reform. It thoughtfully addresses concerns raised during last year's election, including voter records, accessibility, and equal opportunity at the voting place.

Now, with less than a year before the next general election, Congress is running out of time. The Equal Protection of Voting Rights Act is not scheduled for consideration by the House, and what is before us is the Help America Vote Act of 2001. By passing this bill, we are moving the legislative train out of the station. While the Help America Vote Act contains provisions I strongly support, including funding to help states address some aspects of their election systems and to involve younger voters in the process, I believe this bill contains flaws that must be addressed.

I am concerned that the Help America Vote Act is broad and gives no clear direction to states, particularly in regards to provisional voting. I will work to strengthen that section of the bill. In addition, I strongly believe that Congress must set federal minimum standards to ensure that no eligible voter is denied the right to vote. However, the standards in the Help America Vote Act do not go far enough to ensure that all voters with disabilities have access to the polls and to guarantee that all machines notify voters of undervotes and overvotes. Furthermore, the legislation does not require states to provide adequate voting machinery to poor and minority districts.

This legislation is not the final answer to our election woes. As a matter of fact, far from it. However, this bill puts Congress squarely on record as supporting a measure of election reform. I concur with the position taken by the gentleman from Maryland Mr. HOYER and the gentleman from Florida Mr. GILMAN in crafting a bi-partisan bill that addresses those concerns.

H.R. 3295 will provide individual States with the means to replace antiquated voting machines with newer, more modern technology. Moreover, this legislation establishes a nonpartisan election assistant commission which will oversee the Nation's federal election process and ensure that minimum standards are being followed in federal elections. The commission will also implement a reporting procedure to ensure that individual States satisfactorily provide information to members of the armed services concerning absentee registration and voting in the state.

Also notable in H.R. 3295 is the Help America Vote College Program which encourages universities students to take a more active role in our Nation's democratic election process by serving as nonpartisan poll workers or assistants. In promoting active and participatory public service by our Nation's young adults, our Nation's democratic tradition will be strengthened.

I thank my colleagues Mr. NEY and Mr. HOYER for introducing this timely and important legislation. It is high time we implement real reform in our Nation's election system. I am pleased to be an original co-sponsor of this bill and I urge my colleagues to support this measure.

Ms. HARMAN. Mr. Speaker, I rise in strong support of H.R. 3295, the “Help America Vote Act,” introduced by my colleagues, Bob NEY and STEVY HOYER. The bill before us is an important step in reforming our electoral process and rebuilding public confidence.

We are well aware that our administration of elections was tested by last year's presidential election contest. The American political system proved resilient, but not before putting to the test the entire process under a microscope. That microscope revealed many problems, beginning with ballot design, voting machines, and the rules by which registration waning. The Help America Vote Program and Help America Vote Foundation established by this legislation will go far to bring more people into this process.

I am also very pleased, Mr. Speaker, that this bill includes provisions of the voting standards commission created by the House Science Committee, of which I am a member, earlier this year. Debates about standards are arcane and technical, but they are vitally important to ensuring that the procedures we put in place work.

I am proud to be a co-sponsor of this legislation, and I urge my colleagues to support it today on the floor.
lists are respected and ballots counted. Most importantly, those problems were not isolated in one or just a few states.

The election fiasco did have the benefit of returning to the legislative agenda the issue of election reform. Beginning with the National Commission on Federal Election Reform and culminating in this bill, the cause of reform has taken significant strides since last November. We must continue that momentum.

Like the main sponsors of the bill, I believe we need to enact a bill that improves the balloting process before the 2002 elections. If we stake out the perfect positions—however principled—we could well face the same kind of delays and difficulties that prevented for months enactment of a much-needed aviation security bill. Election reform is needed and we must use the sense of urgency to achieve results, and achieve them quickly.

Importantly, the bill before us starts with the premise echoed in the Article I, Section 4 of the Constitution that "the times, places and manner of holding elections . . . shall be prescribed in each State by the Legislature thereof.

Hispanic Caucus' Mr. Speaker, I urge my colleagues today to vote against H.R. 3295, the election reform bill. As the Chair of the Congressional Hispanic Caucus, I proudly support the election reform that is crafted. However, this legislation moves the process forward and that is critical at this time.

I have a two-fold objection to H.R. 3295. First, the legislation does not provide the tools needed to ensure all Americans have access to the ballot box. Second, it fails to provide the tools to protect our citizens within our borders.

Mr. Speaker, I urge my colleagues to reject this bill and to immediately work on legislation that will help us fix our broken electoral system.

Unfortunately, H.R. 3295 fails to adequately address these principles, which are tremendously important to Hispanic voters and those who expect fairness at the polling place. This bill was brought to the floor on the back of an unfair rule that did not allow any debate on critical amendments that would have made this the historic election reform that takes into consideration the principles I just mentioned, and incomplete reform, which, unfortunately, ignores the necessity of improving the electoral system for all voters with full consideration of their rights as participants in a democratic process. I therefore urge Members to vote against the rule and vote in favor of the motion to recommit.

Election reform legislation should establish and enforce minimum standards for election technologies, voter education, and election administration. This legislation authorizes another $2.25 billion over the next 3 years to aid states in acquiring new voting equipment, including those established by new election reform legislation and those guaranteed by the Voting Rights Act and the National Voter Registration Act.

This legislation would allow jurisdictions to continue to use punch card voting machines, thereby filling a crucial shortage of election equipment. This reform would provide $400 million to buyout the punch card voting machines that caused so many problems during the 2000 Presidential election. In addition, H.R. 3295 authorizes another $2.25 billion over the next 3 years to aid states in acquiring new voting equipment. It also requires states to have voter registration systems integrated into their election systems with help and monitoring from a new, bipartisan Federal Election Assistance Commission.

Furthermore, I support this bill because it establishes minimum standards for state election systems, enforced by the Department of Justice and the Federal Election Assistance Commission, that would require states to have a voter registration system linked to local jurisdictions in the state, adopt uniform standards defining what constitutes a vote on the different types of voting equipment, ensure that absent uniformed and overseas voters have their votes counted, and give voters the opportunity to correct errors before they leave the polling place.

Finally, H.R. 3295 creates a small grant program for poll worker training, and authorizes another $2.25 billion to improve election systems through poll worker training, access for disabled, and removal of punch card ballot machines. In doing so, the bill strikes the right balance in setting out the federal government's role in this partnership by requiring every state to be in compliance with minimum standards.

These minimum standards will ensure that voter registration rolls be accurate and complete, making them less vulnerable to fraud and improving access of eligible voters. The minimum standards will also allow for 2000 Presidential election, nearly 100 million Americans went to the polls to vote. Of those who went, nearly 6 million votes were discarded and thrown out due to faulty machines. In addition to these 6 million wasted votes, there were Nonetheless, I believe this legislation is a good start at correcting the flaws in our electoral system.

Mr. Speaker, I urge my colleagues to reject this bill and to immediately work on legislation that will help us fix our broken electoral system.
The election reform legislation we are considering today does not establish adequate voting rights protections to prevent many of the problems that we experienced in the 2000 presidential election. According to Civil Rights Organizations like the ACLU, there are three goals that legislation must accomplish to achieve maximum election results. Voters should be able to count on uniformity of voting equipment and laws, adequate accessibility to the polls and accuracy in the accounting of the votes.

A critical issue in any election reform measure is the enforcement of some minimum uniform standards for elections. After all, the Supreme Court rejected the Florida Presidential election recount because of the lack of uniformity in the standards used to recount the votes. I personally find it ironic that the Court chose to limit uniform standards to uniform state laws as opposed to uniform Federal laws, since this act requires all states to meet minimum uniform election standards.

The Ney-Hoyer bill does not adequately address the issue of uniform standards and in many ways continues wide and varied election practices from state to state. The Ney-Hoyer bill introduces a provision that would allow any state to easily avoid complying with suggested federal standards. The bill makes token suggestions to states to take greater efforts to address the serious problems facing non-English-speaking minorities and the disabled in casting their ballots. Disabled and non-English speaking voters face hurdles to proper access due to physical and language barriers at the polling place. They, perhaps most of all, need a bill that provides for meaningful access to the political process. But, as Mr. Speaker, this bill encourages voters to cast the vote against the rule and final passage of this token election reform legislation.

Mr. SENSENBRENNER. Mr. Speaker, I rise in opposition to H.R. 3295, the "Help America Vote Act of 2001." I am particularly concerned about a problem my home state of Wisconsin will face under section five of the bill and its mandatory requirement that each state implement a state-wide voter registration system. The state of Wisconsin does not require statewide voter registration in communities where registration is not required by law. This legislative provision will place a substantial administrative and financial burden on the state and, perhaps result in an unfunded federal mandate.

Speaker. Mr. Speaker, I also have a significant concern that my constituents in my home state of Wisconsin will be double taxed under Section One of H.R. 3295. That is the section which furnishes states with funds to buyout their punchcard voting machinery. However, Wisconsin has already phased out the use of punchcard voting systems on their own, at the expense of the local counties and municipalities, to the tune of over $650,000. How can it be justified that my constituents will be double taxed to pay for replacing punch card machines? The first tax paid by Wisconsin residents was in the form of local tax revenues and the second tax will be in the form of federal tax dollars.

Mr. Speaker, I am also disappointed that the rule only allows for an hour of debate on a bill that claims to be election reform. The rule only allows for one hour of general debate with no opportunity to amend the bill. How can we consider a bill that is supposed to be the fundament of democracy—voting—and not have the opportunity to fully debate and amend the provisions of the bill? Furthermore the bill was not fully vetted by the appropriate committees in the House. Voting legislation is generally in the jurisdiction of the Judiciary Committee, which deals with issues of a constitutional or judicial nature. The Judiciary Committee never considered this bill.

One of the most profound examples of state reform is in Florida where they have passed the most sweeping election reforms of any state. Wisconsin, students from the University of Wisconsin bragged about voting two and three times in last year's presidential election. Coincidently these students recanted their statements when pressed. Perhaps it was to realize that they three times violated state and federal election laws. This is just one minor example of what has been allowed to occur in jurisdictions all around this country without any tangible consequences. Another example of rampant voter fraud can be found when examining the events surrounding the 2000 election in St. Louis, Missouri. There were hundreds of felon, non-citizens, duplicate and dead voters who cast ballots for candidates illegitimately. And in the city of Philadelphia, there were over 5,000 voter changes.

I strongly believe we must seriously examine allegations of voter fraud and press for the prosecution of those who are found to have violated existing laws. We should also examine and possibly amend federal standards. We should be looking at federal standards so that the people, through their elected representatives, to consider all the relevant alternatives is being abridged. Once again, we are being forced to consider a limited measure that does not adequately address the concerns of the majority of the American people.

We are on the heels of the 2002 elections and we are just now considering an election reform measure. If the upcoming elections are anything like the 2000 presidential election, it is my fear that we are in for more of the same. Mr. Speaker, the bill continues to vote against the rule and final passage of this token election reform legislation.

Mr. SENSENBRENNER. Mr. Speaker, I rise in opposition to H.R. 3295, the "Help America Vote Act of 2001." I am particularly concerned about a problem my home state of Wisconsin will face under section five of the bill and its mandatory requirement that each state implement a state-wide voter registration system. The state of Wisconsin does not require statewide voter registration in communities where registration is not required by law. This legislative provision will place a substantial administrative and financial burden on the state and, perhaps result in an unfunded federal mandate.

Mr. Speaker, I also have a significant concern that my constituents in my home state of Wisconsin will be double taxed under Section One of H.R. 3295. That is the section which furnishes states with funds to buyout their punchcard voting machinery. However, Wisconsin has already phased out the use of punchcard voting systems on their own, at the expense of the local counties and municipalities, to the tune of over $650,000. How can it be justified that my constituents will be double taxed to pay for replacing punch card machines? The first tax paid by Wisconsin residents was in the form of local tax revenues and the second tax will be in the form of federal tax dollars.

And, let me be very clear here, the local tax revenues spent on punchcard machines could easily have been spent on other important local needs, especially if they knew federal money was on the way. The elimination of these punchcard systems may be a laudable goal, however, it clearly unfair to double tax the residents of Wisconsin in order to pay for upgrades in another state when that state did not determine it was important enough to them to use their own resources to pay for the elimination of punchcard ballots.

Mr. Speaker, I personally find it ironic that the Court chose to limit uniform standards to uniform state laws, which would require all states to meet minimum uniform election standards.

Mr. Speaker, I urge my colleagues to vote to pass this token election reform legislation. The Ney-Hoyer bill does not adequately address the issue of uniform standards and in many ways continues wide and varied election practices from state to state. The Ney-Hoyer bill introduces a provision that would allow any state to easily avoid complying with suggested federal standards.

This legislation does not go far enough to address the issue of voter fraud and it will continue to flourish without significant legislation. I fear that once this legislation is passed, this Congress will not come back to examine measures aimed at eliminating voter fraud, proposals such as requiring photo identification at the polls, requiring proof of citizenship and requiring removal of dead voters from the rolls. This is just one very few provisions which need to be considered.

The individual states across the country have been hard at work in 2001 reviewing their election laws with a fine-tooth comb, identifying the weak spots and potential causes for concern, and, most importantly developing solutions. Reforming election laws is a complex job but it is one that is best left to the states. This hard work will certainly continue into 2002 but look at what has happened so far at the federal level. More than 1,770 bills have been introduced, 249 have been passed and 487 bills are still pending.

One of the most profound examples of state reform is in Florida where they have passed the most sweeping election reforms of any state. Wisconsin, students from the University of Wisconsin bragged about voting two and three times in last year's presidential election. Coincidently these students recanted their statements when pressed. Perhaps it was to realize that they three times violated state and federal election laws. However, it is also the concern of a great many Americans that widespread voter fraud is diluting or cancelling out the value of their legally cast vote. For example, in Madison, Wisconsin, students from the University of Wisconsin bragged about voting two and three times in last year's presidential election. Coincidently these students recanted their statements when pressed. Perhaps it was to realize that they three times violated state and federal election laws.
Congressional Record—House
December 12, 2001

H9302

after consideration of their unique needs and goals without federal mandates from Congress, such as those required under H.R. 3295. And, many other states legislatures have followed suit by passing their own election reform bills without the direction from Congress. As was the case in Wisconsin a few years back, individual states are proving that they are the best able to determine what solutions will work effectively for their unique needs and the focus of election reform should be left to the states.

Ensuring fair and honest elections by eliminating voter fraud, improving voting techniques, eliminating disenfranchisement, and respecting the constitutional role of the states and localities should not be partisan issues. Our fundamental system of elections is sound, and just as with all things, there is always room for improvement. However, we need to make certain that legislation does in fact provide improvement and not just rhetoric and that Congress is not simply throwing $2.65 billion at a problem that we can claim we’ve solved all alleged problems.

Mr. STARK. Mr. Speaker, I rise today in support of H.R. 3295, the Help America Vote Act. The deeply troubled election of 2000 taught us many lessons. Chief among them was the need to improve our election system. When hanging chads and butterfly ballots kept the presidency in the balance, America’s credibility as the oldest democracy in the world was compromised. The American people have overwhelmingly called on Congress to act, and this bill is at least a step in the right direction.

The Help America Vote Act does several things to improve our election system. First, it establishes minimum election standards that all states must meet. The bill requires each state to maintain a complete and accurate voter registration system and to maintain uniform standards on what constitutes a vote for different voting machines. It requires states to have safeguards ensuring that military and other overseas voters have their votes counted and ensured that voters who make errors in their ballots have the opportunity to correct them. The bill provides $400 million to replace unreliable punch-card voting systems, whose problems were so dramatically displayed on our television screens last year. It also authorizes another $2.25 billion to help states establish and maintain accurate lists of voters, improve equipment, recruit and train poll workers, and educate voters about their rights.

Despite these good provisions, I have several serious concerns about the bill. First, the bill allows states to purge voters from the registration rolls if they don’t vote in one election without giving them enough notice that their names are being purged. This weakens the very spirit of the Voting Rights Act, which provides voters with these protections. In addition, the bill allows states to create alternatives to the provisional ballot, something that has allowed citizens who are not registered to vote still have their voices heard. This bill provides no standard to ensure that all wishing to vote can claim we’ve solved all alleged problems.

Nevertheless, I support H.R. 3295 because it moves the process of election reform forward and I think is an improvement from the status quo. It is unfortunate, however, that the House Leadership refused to allow amendments to the bill that would have corrected its flawed provisions. I will work with my friends in the Civil Rights, disability and labor communities in the Senate, and hope that the Senate will also pass an election reform bill and that we can improve upon this bill in conference. The election of 2000 revealed gaping holes in our election system. To maintain our nation’s standing around the world and, more importantly, to maintained government’s credibility with our citizens, the Congress must make reform a top priority.

The SPEAKER pro tempore. All time for debate has expired.

Pursuant to House Resolution 311, the provisions of the bill are ordered.

The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

Motion to Reconsider Offered by Mr. MENENDEZ

Mr. MENENDEZ. Mr. Speaker, I offer a motion to reconsider.

The SPEAKER pro tempore. The Clerk will report the motion to reconsider.

The Clerk read as follows:

Mr. MENENDEZ moves to recommit the bill H.R. 3295 to the Committee on House Administration with instructions to report the same back to the House forthwith with the following amendments:

Amend section 502(3) to read as follows:

(A) A system of file maintenance which removes registrants who are ineligible to vote from the official list of eligible voters consistent with the National Voter Registration Act of 1993.

Amend section 502(3) to read as follows:

(3) The State permits, by the deadline required under subsection (a), in-precinct provisional voting by every voter who claims to be qualified to vote in the State, except that this paragraph shall not apply in the case of a State with no in-precinct provisional voting described in the previous sentence, if the name of an individual who claims to be a registrant eligible to vote at a polling place in an election for Federal office does not appear on the official list of registrants eligible to vote at the polling place, or it is otherwise asserted by an election official that the individual is not eligible to vote at the polling place—

(A) an election official at the polling place shall notify the individual that the individual may cast a provisional ballot in the election;

(B) the individual shall be permitted to cast a vote at that polling place upon written application by the individual before an election official at that polling place that the individual is so eligible;

(C) an election official at the polling place shall transfer the ballot cast by the individual to an appropriate State or local election official for prompt verification of the claim made by the individual in the affirmation required by subparagraph (B);

(D) if the appropriate State or local election official verifies the claim made by the individual in the affirmation, the individual’s vote shall be tabulated; and

(E) the appropriate State or local election official shall notify the individual in writing of the disposition of the claim and the treatment of the individual’s vote.

Strike paragraphs (6) and (7) of section 502 and insert the following:

Effective January 1, 2006, the State requires all voting systems—

(A) to be accessible for individuals with disabilities and other individuals with special needs, including provisions for accessibility for the blind and visually impaired which provides the same opportunity for access and participation (including privacy and independence) for as other voters; and

(B) to provide alternative language accessibility for individuals with limited proficiency in the English language and who have a single language other than English as their first language at least 5 percent of the total number of voting-age citizens,

(ii) in the case of a political subdivision which contains all or any part of an Indian reservation, the number of voting-age American Indian or Alaskan Native citizens within the reservation who have limited proficiency in the English language is at least 5 percent of the total number of voting-age citizens on the reservation, or

(iii) there are at least 10,000 voting-age citizens who have limited proficiency in the English language and who have a single language other than English as their first language.

(7) Effective January 1, 2006, the State requires all polling places to be accessible to individuals with disabilities and other individuals with special needs.

Amend section 503 to read as follows:

SEC. 503. ENFORCEMENT.

(A) IN GENERAL.—The Attorney General shall be responsible for verifying that State certifications under section 501 are accurate and for enforcing the requirements of section 502 with respect to State election systems, in accordance with such regulations as the Attorney General may issue. The Attorney General may bring a civil action in an appropriate district court for such relief (including declaratory or injunctive relief) as may be necessary to carry out this subsection.

(b) RELIEF.—The Attorney General may bring a civil action in an appropriate district court for such relief (including declaratory or injunctive relief) as may be necessary to carry out this subsection. The remedies established by this subsection are in addition to all other rights and remedies provided by law.

(c) ACTION THROUGH ASSISTANT ATTORNEY GENERAL FOR CIVIL RIGHTS.—The Attorney General...
General shall issue regulations pursuant to this section, and shall otherwise carry out the Attorney General’s responsibilities under this title, through the Assistant Attorney General for Civil Rights.

Insert after section 503 the following new section (and redesignate the succeeding provisions and conform the table of contents accordingly):

SEC. 504. TECHNICAL SPECIFICATIONS AND GUIDELINES.

(a) IN GENERAL.—

(1) ACCESSIBILITY REQUIREMENTS.—In consultation with the Election Assistance Commission and the Office of Civil Rights of the Department of Justice, the Architectural and Transportation Barrier Compliance Board under section 502 of the Rehabilitation Act of 1973 (29 U.S.C. 792) (hereafter in this section referred to as the ‘‘Compliance Board’’) shall develop technical specifications with respect to each of the following:

(A) The voting system accessibility requirements (relating to individuals with disabilities and other individuals with special needs) described in section 502(4)(A).

(B) The voting system error rate standards described in section 502(9).

(2) OTHER REQUIREMENTS.—In consultation with the Election Assistance Commission and the Compliance Board, the Office of Civil Rights shall develop technical specifications and guidelines with respect to each of the following:

(A) The provisional voting requirements described in section 502(3).

(B) The alternative language accessibility requirements described in section 502(6)(A).

(C) The requirements relating to the correction of errors in voting systems described in section 502(7).

(D) The voting system error rate standards described in section 502(8).

(b) DEADLINE FOR INITIAL SPECIFICATIONS AND GUIDELINES.—The Compliance Board and the Office of Civil Rights shall each develop the initial set of technical specifications and guidelines with respect to each of the following:

(A) The provisional voting requirements described in section 502(3).

(B) The alternative language accessibility requirements described in section 502(6)(B).

(c) PROVISION OF CONTINUING INFORMATION.—The provisions in the initial set of technical specifications and guidelines under subsection (a), the Compliance Board and the Office of Civil Rights shall prepare and make available guidelines in carrying out this title, including preparing revised technical specifications and guidelines at such times as the Attorney General considers appropriate.

In section 506 (as redesignated above)—

(1) in subsection (a), strike ‘‘subsection (b)’’ and insert ‘‘subsections (b) and (c)’’; and

(2) add at the end the following new subsection:

(c) OTHER DEADLINES.—(1) The minimum standards described in paragraphs (6), (7), and (8) of section 502 shall apply not later than January 1, 2006.

(2) The minimum standard described in section 502(9) shall apply not later than January 1, 2004.

Amend section 502 to read as follows:

SEC. 502. PROHIBITING EFFORTS BY POLITICAL WORKERS TO coerce VOTERS TO CAST VOTES FOR EVERY OFFICE ON BALLOT.

Section 504 of title 18, United States Code, is amended—

(1) by striking ‘‘Whoever’’ and inserting ‘‘(a) Whoever;’’ and (2) by adding at the end the following new subsection:

‘‘(b) For purposes of subsection (a), a poll worker who urges or encourages a voter who has not cast a vote for each office listed on the ballot to return to the voting booth to cast votes for every office, or who otherwise intimidates, harasses, or coerces the voter to vote for each such office (or who attempts to intimidate, harass, or coerce the voter to vote for each such office), shall be considered to have intimidated, threatened, or coerced (or to have attempted to intimidate, threaten, or coerce) the voter for the purpose of interfering with the voter’s right to vote as the voter may choose. Nothing in this subsection shall prohibit a poll worker from providing information to a voter who requests assistance.’’.

Mr. MENENDEZ (during the reading). Mr. Speaker, I ask unanimous consent that the motion to recommit be considered as read and printed in the RECORD.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

The SPEAKER pro tempore. The gentleman from New Jersey is recognized for 5 minutes in support of his motion to recommit.

(Mr. MENENDEZ asked and was given permission to revise and extend his remarks.)

Mr. MENENDEZ. Mr. Speaker, there is one principle alone that should be guiding our debate on this election reform, and that is every American has a right to cast a supportable vote. It is a simple but extraordinarily important proposition, because it forms the justification of and expression for our democracy.

Any undermining of that principle, even the perception of undermining, can do great damage to us.

One person, one vote. We all know the questions about our system that the last Federal election left with our citizens. We must never allow a repeat of that. The Ney-Hoyer bill is a good step in that direction. Most importantly, their bill commits the resources necessary to improve all of our voting systems. However, the bill turns a standard we passed in the Motor Voter Act on its head.

The Motor Voter Act says that before someone is removed from the voting rolls, they must be given written notice, and then have two elections to correct the removal at the ballot place before the removal is finalized. The Motor Voter Act stands for the principle that before you take away someone’s right to vote, you give them a chance to prove they are still legally voting in the correct place.

The bill as written, however, says if you fail to vote in two elections, you can be purged from the rolls. In other words, if you do not vote, you can lose the right to vote. Our motion simply states that the rules of the Motor Voter Law should continue to govern.

Given the number of false purges we saw in the last election, it is critical that the right to provisional voting is guaranteed. There should be no need for alternatives. If an improperly purged voter is turned away on election day, that error is irreparable.

For disabled voters, the bill requires that States provide a ‘‘practical and effective’’ means to vote. Keeping in mind the guiding principle of equal and full access, we believe ‘‘separate but equal’’ is not good enough for disabled voters. With our technology and ingenuity, there is no reason why we cannot create uniform systems that can accommodate almost all of our disabled and non-disabled voters, and our amendment allows 4 years to make the necessary changes.

The bottom line is that currently 14 million disabled voters cannot cast a secret ballot, and there is no excuse for this. The bill does not guarantee that this will change. Our motion does.

For voters with different native languages, the Ney-Hoyer bill relies on current law. We simply give that standard to any other group of Americans so situated.

These are Federal elections, and we have a responsibility to ensure that a voting procedure in Florida is subject to the same minimum standards as a voting procedure in New Jersey. That is why our amendment gives the Attorney General the direct responsibility for certifying that States are in compliance with the minimum standards in this bill, without an intermediary. It is that important.

How many of us would be satisfied with the counsel of patience and delay if it were our right to vote that was being compromised? Very few of us, I think. When it comes to the right to vote, there is no margin for error.

Every vote must be ensured, counted and protected equally. But in all of these ways, our motion eliminates the margin for error and makes it better. So I certainly urge my colleagues to support the motion.

Mr. Speaker, I yield to the distinguished gentleman from Texas (Ms. Eddie Bernice Johnson), the Chair of the Congressional Black Caucus.

(Ms. Eddie Bernice Johnson of Texas asked and was given permission to revise and extend her remarks.)

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Speaker, several universities and news organizations have conducted studies, and every study has found that votes cast are not being counted. The House Committee on Government Reform minority staff conducted a study in 40 congressional districts and found that the highest percentage of undervotes were in places which had poor and minority populations.

Mr. Speaker, there are volumes of evidence which clearly and convincingly prove that the election system in this country is broken and must be fixed.

We deeply believe in a need to safeguard the rights and liberties of the American people. I join the gentleman
from New Jersey (Mr. Menendez), the gentleman from Connecticut (Ms. DeLauro) and the gentleman from Connecticut (Mr. Shays) in offering this motion to recommit. I joined them in requesting that the Committee on Rules, once again, allow the amendments which would only allow purged voters from the voting rolls through means consistent with national voter registration and for the handicap to have the ability to vote, and provisional voting.

Mr. Speaker, I will submit the rest of my statement. This is so basic and fundamental to our democracy. I just cannot imagine anyone not being in support of these recommendations that we made to make this democracy real.

Mr. MENENDEZ. Mr. Speaker, I yield the balance of the time to the gentlewoman from Connecticut (Ms. DeLauro).

Ms. DeLAURO. Mr. Speaker, our entire system of government is based on the premise that one person, one vote. For our democracy to work, people must have confidence that their vote counts. We have a responsibility to do all that we can to make sure that every citizen is able to fully exercise their right to vote.

This motion to recommit ensures that polling places are accessible, voting equipment is updated, voters are not mistakenly taken off the rolls, and that these standards are endorsed.

In addition to that understanding of the premise of our system, it remains more difficult to go to the polls and cast a vote than it is to make a simple withdrawal from an ATM machine. There is something wrong with that, I say to my colleagues.

The world looks to America as a shining example of democracy in action. We need to act today to ensure that every American has the right to participate in that democracy by casting a vote that will be counted. I urge my colleagues to vote “yes” on the motion to recommit.

Mr.NEY. Mr. Speaker, I rise to stand in opposition to the motion to recommit, and I claim the time in opposition.

Mr. Speaker, I yield 40 seconds to the gentleman from Maryland (Mr. Hoyer).

Mr. HOYER. Mr. Speaker, I rise simply to say that the objectives of this motion to recommit I think are worthwhile and good, but I want to make the record clear. I have a colloquy on section 3 of the National Voter Registration Act. It is the committee’s view that nothing in this bill changes or diminishes in any way any provision, including provisional voting, of the National Voter Registration Act. In fact, it made it a condition to my participation in the bipartisan bill that that be the case.

In addition to that understanding with the gentleman from Ohio (Mr. Ney) and all of us on the committee and the staff, we have contacted the Attorney General’s Office and I would include at this point in time in the Record a letter that was received by the gentleman from Ohio (Mr. Ney) and myself on December 10, 2001 from the Assistant Attorney General.


Hon. STENTY HOYER, Ranking Minority Member, Committee on House Administration, House of Representatives, Washington, DC.

DEAR CONGRESSMAN HOYER: This letter responds to your letter of November 29, 2001 regarding a motion of Mr. Ney to recommit H.R. 3295, “The American Vote Act,” upon the National Voter Registration Act of 1993 (“NVRA”).

Although several provisions in the bill affect the list provisions in section 8 of the NVRA, it is evident that the bill is not designed to modify the NVRA and, in fact, it does not alter or undermine the NVRA’s requirements. Section 903 of the bill itself specifically provides that nothing in H.R. 3295 “shall supercede, restrict or limit the application of . . . NVRA,” that nothing in the bill “authorizes or requires any conduction which is prohibited by the NVRA,” and that nothing in the bill “may be construed to affect the application of the . . . NVRA . . . to specifically list maintenance functions provided in the bill.” These provisions would guide the Department’s enforcement efforts if the bill becomes law.

Various parts of the bill reference the NVRA and appear designed to clarify and strengthen enforcement of the NVRA’s list maintenance provisions. Section 502(2) would require all States and the District of Columbia, Puerto Rico, Guam, American Samoa, and the United States Virgin Islands to adopt a system of list maintenance ensuring that the list is accurate and updated regularly, and that removes registrants who are ineligible to vote. Under this system, “consistent with the [NVRA],” registrants who have not voted in 2 or more consecutive Federal general elections and who have not responded to a notice would be required to be removed from the list of eligible voters. Under this system, “consistent with the [NVRA],” registrants who have not voted in 2 or more consecutive Federal general elections and who have not responded to a notice would be required to be removed from the list of eligible voters.

Section 902(a) entitled “Clarification of ability of election officials to remove registrants . . . on grounds of change of residence,” would amend the NVRA’s existing requirement (at 42 U.S.C. 1973gg-6(b)(2)) that any general program not result in removal of voters’ names due to their “failure to vote.” However, the amendment in section 902(a) merely would clarify that nothing in section 902(a) prevents a State from using the procedures already in sections 1973gg-6(c)-(d) to remove the names of voters who have not voted or have not appeared to vote consecutively Federal general elections and who have not notified the registrar, or responded to a notice sent by the registrar, that they intend to register and vote in the jurisdiction. As an amendment to the NVRA, this provision would apply only in the 45 jurisdictions covered by the NVRA (44 States and the District of Columbia).

In view of the bill’s several affirmations that removal of names from voter rolls should be carried out in a manner consistent with the NVRA and the general affirmations in section 903 that the bill will not restrict or limit the NVRA, the bill’s list maintenance provisions can and should be read consistently with the NVRA’s existing list maintenance procedures, which basically are: section 1973gg-6(c) suggests the Postal Service National Change of Address program as one example of a means of identifying voters who have become ineligible because they have moved outside the jurisdiction. Section 501(a)(b) and (c) to amend the NVRA and appear designed to clarify and strengthen enforcement of the NVRA’s list maintenance provisions after passage of the NVRA. See, e.g., 52 Stat. 107, 130; 56 Stat. 693, 98, 975, 98, 993; see, e.g., 52 Stat. 81-81 to 21-81 to 21-235; Va. Stat. 21.4-227 to 21.4-238.2. To the extent that the 45 jurisdictions covered by the NVRA have adopted list maintenance programs consistent with 42 U.S.C. 1973gg-6, we conclude that the new clarifying provisions of section 902(a) of the bill would not require States to amend their programs. Likewise, State legislation consistent with the NVRA probably would meet the new, less specific, minimum standards for list maintenance required in section 902(a) of H.R. 3295.

If this interpretation differs with that of the drafters of the bill, some clarification may be warranted.

Thank you for the opportunity to present our views. Please do not hesitate to call upon us if we may be of additional assistance. The Office of Management and Budget has advised us that from the perspective of the Administration, there is no objection to submission of this letter.

Sincerely,

DANIEL J. BRYANT,
Assistant Attorney General.

Identical letter sent to the Honorable Bob Ney, Chairman.

Mr. NEY. Mr. Speaker, I yield myself such time as I may consume.

I wanted to point out just a couple of items about this motion to recommit, and I do respect the gentleman from New Jersey and his intentions. But this does eliminate provisions to improve list maintenance, something that we all have fought very hard. Democrats and Republicans from across the country want to make sure that they have the best voter lists possible and that they are in the best condition possible. This was a bipartisan request. This would eliminate the provisions to improve list maintenance.

Also, unless I had read this wrong, this also would deal with the issue of accessibility at the polling places. We are talking about 200,000 polling places, and this theory that was brought forward in committee and was a big of what this motion to recommit is about was discussed in the committee. No one could even give us an estimate of the billions and billions of dollars. Also, I would raise this issue: are we going to use taxpayers’ dollars, then, to fund the polling places and do, if one votes at a mall or a church? There are a lot of significant issues to that provision itself.
As far as the issue of persons with disabilities, let me just quote from the bill, and this is an important issue that I care about and a lot of people in this country obviously do care about, and it has been stated many times through this process that this bill makes one of the first significant steps in trying to help persons who have some form of a disability to vote.

The Ney-Hoyer bill is an important breakthrough for the voting rights of persons with disabilities. All new voting systems must provide a practical and effective means for voters with physical disabilities to cast a secret ballot. That is language from the Ford-Carter Commission. All States receiving Federal funds under this bill must certify that in each precinct or polling place, there is at least one voting system available which is fully accessible to individuals with physical disabilities. It also states that it uses Federal funds to purchase new machines, and must ensure that at least one voting machine in each polling place in the State will be fully accessible to individuals with physical disabilities.

This bill has also been endorsed by the National Federation of the Blind.

Mr. Speaker, I just want to urge my colleagues to hold to the bill, the Ney-Hoyer bill, and defeat the motion to recommit. Mr. Speaker, at this time I include for the RECORD the following letters of endorsement.

NATIONAL ASSOCIATION OF COUNTIES, Washington, DC, November 21, 2001. Hon. BOB NEY, Chairman, Committee on House Administration, Longworth House Office Building, Washington, DC.

Hon. STENY HOYER, Ranking Member, Committee on House Administration, Longworth House Office Building, Washington, DC.

DEAR REPRESENTATIVES NEY AND HOYER: We want to commend you for your hard work and perseverance in introducing a bipartisan election reform bill. The legislation is a compromise and not everyone is going to agree with all of its provisions which includes some of our county officials.

The National Association of Counties (NACo) would like to go on record as supporting H.R. 3296 as it was reported by the House Administration Committee. We would have to review this position if extensive changes are made on the House floor or in the Senate.

NACo still has concerns about Congress providing adequate funding for carrying out the mandates in the bill. We believe the authorization would be adequate but we also would like to see a commitment from the leadership on providing sufficient appropriations in FY2002 and FY2003. We will be urging President Bush to request the full authorization amounts in his budget for FY2003.

We will be sending letters to all Members urging them to vote for H.R. 3296. We also will be urging all Senate officials to contact their state delegations to support the bill.

If you have any questions, please call me or Ralph Tabor on our staff (202) 942-4254.

Sincerely, LARRY E. NAAKE, Executive Director.


CONGRESSMANS NEY AND HOYER: On behalf of the elections community of America, I want to congratulate the two of you for accomplishing what grizzled veterans said could not be done: you have produced true bipartisan legislation that will help America cure the worst of the problems discovered in Election 2000.

As you are aware, the rules and laws under which The Election Center was formed prevent us from lobbying for or against any legislation—our members nationwide will do that on their own—but we can speak to what we believe the impact of the legislation will do for American elections.

The two of you have shown what men of goodwill can do when a difficult issue arises. Obviously there were partisan considerations involved in this legislation and each of you was a noble champion for your party's particular issues and you also showed that you could find a way to reach consensus and still effect meaningful legislation.

I know this bill will not please all voter groups. As campaign finance community finds items they dislike in this legislation, I know there are already claims that it does not go far enough for some political parties and utilities.

The Ney-Hoyer bill is an important breakthrough for the voting rights of persons with disabilities. All new voting systems must provide a practical and effective means for voters with physical disabilities to cast a secret ballot. That is language from the Ford-Carter Commission. All States receiving Federal funds under this bill must certify that in each precinct or polling place, there is at least one voting system available which is fully accessible to individuals with physical disabilities. It also states that it uses Federal funds to purchase new machines, and must ensure that at least one voting machine in each polling place in the State will be fully accessible to individuals with physical disabilities.

This bill has also been endorsed by the National Federation of the Blind.

Mr. Speaker, I just want to urge my colleagues to hold to the bill, the Ney-Hoyer bill, and defeat the motion to recommit. Mr. Speaker, at this time I include for the RECORD the following letters of endorsement.

NATIONAL ASSOCIATION OF COUNTIES, Washington, DC, November 21, 2001. Hon. BOB NEY, Chairman, Committee on House Administration, Longworth House Office Building, Washington, DC.

Hon. STENY HOYER, Ranking Member, Committee on House Administration, Longworth House Office Building, Washington, DC.

DEAR REPRESENTATIVES NEY AND HOYER: We want to commend you for your hard work and perseverance in introducing a bipartisan election reform bill. The legislation is a compromise and not everyone is going to agree with all of its provisions which includes some of our county officials.

The National Association of Counties (NACo) would like to go on record as supporting H.R. 3296 as it was reported by the House Administration Committee. We would have to review this position if extensive changes are made on the House floor or in the Senate.

NACo still has concerns about Congress providing adequate funding for carrying out the mandates in the bill. We believe the authorization would be adequate but we also would like to see a commitment from the leadership on providing sufficient appropriations in FY2002 and FY2003. We will be urging President Bush to request the full authorization amounts in his budget for FY2003.

We will be sending letters to all Members urging them to vote for H.R. 3296. We also will be urging all Senate officials to contact their state delegations to support the bill.

If you have any questions, please call me or Ralph Tabor on our staff (202) 942-4254.

Sincerely, LARRY E. NAAKE, Executive Director.


CONGRESSMANS NEY AND HOYER: On behalf of the elections community of America, I want to congratulate the two of you for accomplishing what grizzled veterans said could not be done: you have produced true bipartisan legislation that will help America cure the worst of the problems discovered in Election 2000.

As you are aware, the rules and laws under which The Election Center was formed prevent us from lobbying for or against any legislation—our members nationwide will do that on their own—but we can speak to what we believe the impact of the legislation will do for American elections.

The two of you have shown what men of goodwill can do when a difficult issue arises. Obviously there were partisan considerations involved in this legislation and each of you was a noble champion for your party's particular issues and you also showed that you could find a way to reach consensus and still effect meaningful legislation.

I know this bill will not please all voter groups. As campaign finance community finds items they dislike in this legislation, I know there are already claims that it does not go far enough for some political parties and utilities.

The Ney-Hoyer bill is an important breakthrough for the voting rights of persons with disabilities. All new voting systems must provide a practical and effective means for voters with physical disabilities to cast a secret ballot. That is language from the Ford-Carter Commission. All States receiving Federal funds under this bill must certify that in each precinct or polling place, there is at least one voting system available which is fully accessible to individuals with physical disabilities. It also states that it uses Federal funds to purchase new machines, and must ensure that at least one voting machine in each polling place in the State will be fully accessible to individuals with physical disabilities.

This bill has also been endorsed by the National Federation of the Blind.

Mr. Speaker, I just want to urge my colleagues to hold to the bill, the Ney-Hoyer bill, and defeat the motion to recommit. Mr. Speaker, at this time I include for the RECORD the following letters of endorsement.

NATIONAL ASSOCIATION OF COUNTIES, Washington, DC, November 21, 2001. Hon. BOB NEY, Chairman, Committee on House Administration, Longworth House Office Building, Washington, DC.

Hon. STENY HOYER, Ranking Member, Committee on House Administration, Longworth House Office Building, Washington, DC.

DEAR REPRESENTATIVES NEY AND HOYER: We want to commend you for your hard work and perseverance in introducing a bipartisan election reform bill. The legislation is a compromise and not everyone is going to agree with all of its provisions which includes some of our county officials.

The National Association of Counties (NACo) would like to go on record as supporting H.R. 3296 as it was reported by the House Administration Committee. We would have to review this position if extensive changes are made on the House floor or in the Senate.

NACo still has concerns about Congress providing adequate funding for carrying out the mandates in the bill. We believe the authorization would be adequate but we also would like to see a commitment from the leadership on providing sufficient appropriations in FY2002 and FY2003. We will be urging President Bush to request the full authorization amounts in his budget for FY2003.

We will be sending letters to all Members urging them to vote for H.R. 3296. We also will be urging all Senate officials to contact their state delegations to support the bill.

If you have any questions, please call me or Ralph Tabor on our staff (202) 942-4254.

Sincerely, LARRY E. NAAKE, Executive Director.
Representative DANIEL T. BLUC,

North Carolina House of Representatives.

INTERNATIONAL ASSOCIATION OF
CLERKS, RECORDERS, ELECTION
OFFICIALS AND TREASURERS,

Chicago, IL, November 29, 2001.

Hon. ROBERT NEY,
Chairman, Committee on House Administration,

Longworth House Office Building, Washing-
don, DC.

DEAR BOE: For the last year, professional
election officials across the nation have
wrestled with the challenges brought to light
as a result of the 2000 Presidential Election.

At the heart of the issue is the suitability for
ongoing use of punch card voting systems
and the need for statewide uniform standards
of election administration within each state.

It has been my pleasure to work with you
and the Members, the NFB has had no
information as to how in order to further
work with you and on improving and
reform of the election administration is a
be an essential component of the new design.

As such, I would like to see that you have
for the people cannot just vote
privately and independently.

As such, the legislation recognizes the
role of state and local government in election
administration.

I want to congratulate you and
your committee on a very thoughtful and
thorough legislative package that will help
ensure that every vote in this great nation is
counted, and counted accurately. Although I
have some specific reservations and sugges-
tions on some of the bill’s provisions, I think
overall, your committee has presented a
proposal among the many we have seen since the November 2000
Presidential Election.

At a later date, I would be honored to ap-
ppear before your committee with specific recommendations to make this legis-
lation even more palatable. I know you and
your committee have worked very hard on
this bill. Again, please accept my congratu-
lations.

Sincerely,

LANCE GOUGH,
National Federation of the Blind,

Chairman, Committee on House Administration,

Longworth House Office Building, Washing-
don, DC.

DEAR MR. CHAIRMAN: I am writing to ex-
press the support of the National Federation of
the Blind for the Help America Vote Act
of 2001. I am, including language requested to address the needs of people who
are blind. Thanks to your efforts and under-
standing, this legislation points the way
for blind people to vote privately and independ-
ently.

While the 2000 election demonstrated sig-
nificant problems with our electoral system,
consensus regarding the solution has been
much more difficult to find. Nonetheless, it
is clear that installation of up-to-date tech-
ology will occur throughout the United States. This means that voting technology
will change, and devices purchased now will
set the pattern for decades to come. There-
fore, requirements for individual access
must be an essential component of the new design.

With more than 50,000 members, rep-
resenting every state, the District of Colum-
bia, and Puerto Rico, the NFB is the largest
organization of blind people in the United States. As such we know about blindness
from the perspective of the individual. The right to vote and cast a truly secret ballot is one of our
highest priorities, and modern technology
can now support this goal. For that reason, we support any legislation that will accom-
plish this objective. Thank you for your as-
sistance in addressing this concern as part of the

Sincerely,

JAMES GASHEL,
Director of Governmental Affairs.

OHIO SECRETARY OF STATE,
Columbus, OH, November 26, 2001.

Hon. BOE NEY,
Chairman, Committee on House Administration,
Longworth House Office Building, Washing-
don, DC.

DEAR BOE: For the last year, professional
election officials across the nation have
wrestled with the challenges brought to light
as a result of the 2000 Presidential Election.

At the heart of the issue is the suitability for
ongoing use of punch card voting systems
and the need for statewide uniform standards
of election administration within each state.

It has been my pleasure to work with you
and the Members, the NFB has had no
information as to how in order to further
work with you and on improving and
reform of the election administration is a
be an essential component of the new design.

As such, I would like to see that you have
for the people cannot just vote
privately and independently.

As such, the legislation recognizes the
role of state and local government in election
administration.

I want to congratulate you and
your committee on a very thoughtful and
thorough legislative package that will help
ensure that every vote in this great nation is
counted, and counted accurately. Although I
have some specific reservations and sugges-
tions on some of the bill’s provisions, I think
overall, your committee has presented a
proposal among the many we have seen since the November 2000
Presidential Election.

At a later date, I would be honored to ap-
ppear before your committee with specific recommendations to make this legis-
lation even more palatable. I know you and
your committee have worked very hard on
this bill. Again, please accept my congratu-
lations.

Sincerely,

LANCE GOUGH,
National Federation of the Blind,

Chairman, Committee on House Administration,

Longworth House Office Building, Washing-
don, DC.

DEAR MR. CHAIRMAN: I am writing to ex-
press the support of the National Federation of
the Blind for the Help America Vote Act
of 2001. I am, including language requested to address the needs of people who
are blind. Thanks to your efforts and under-
standing, this legislation points the way
for blind people to vote privately and independ-
ently.

While the 2000 election demonstrated sig-
nificant problems with our electoral system,
consensus regarding the solution has been
much more difficult to find. Nonetheless, it
is clear that installation of up-to-date tech-
ology will occur throughout the United States. This means that voting technology
will change, and devices purchased now will
set the pattern for decades to come. There-
fore, requirements for individual access
must be an essential component of the new design.

With more than 50,000 members, rep-
resenting every state, the District of Colum-
bia, and Puerto Rico, the NFB is the largest
organization of blind people in the United States. As such we know about blindness
from the perspective of the individual. The right to vote and cast a truly secret ballot is one of our
highest priorities, and modern technology
can now support this goal. For that reason, we support any legislation that will accom-
plish this objective. Thank you for your as-
sistance in addressing this concern as part of the

Sincerely,

JAMES GASHEL,
Director of Governmental Affairs.
request by the Science Committee for conferees on H.R. 3295 as well as any similar or related legislation.

I would also like to take this opportunity to thank the House for including provision of H.R. 2275 within H.R. 3295. As a result of the negotiation between our Committees, the provisions of the Science Committee's bill to improve voting technology (H.R. 2275) have been incorporated into the Ney-Hoyer (H.R. 3295) bill. The thrust of the Science Committee bill was to set up a process to ensure that proper technical standards would be developed to improve voting technology and that a reliable system would be set up to test equipment against those standards. Virtually every provision of the Science Committee bill has been included in the House Administration Committee legislation. Because of the hard work and cooperation between our Committees, the new standards will ensure that voting machines tally voters' ballots accurately. They will help reduce voter error by ensuring that new voting equipment is user-friendly. Adequate standards, these standards will ensure that voting machines are accessible to the disabled.

I request that you for your consideration and attention regarding these matters.

Sincerely,

SHERWOOD L. BOEHLERT, Chairman


Hon. J. DENNIS HASTERT, Speaker, House of Representatives, Washington, DC.

DEAR MR. SPEAKER: In recognition of the desire to expedite floor consideration of H.R. 3295, the Help America Vote Act of 2001, the Committee on Armed Services agrees to waive its right to consider this legislation. H.R. 3295, as introduced on November 14, 2001, contains subject matter that falls within the jurisdiction of both Committees. The Committee on Armed Services takes this action with the understanding that the Committee's jurisdiction over the provisions in question is in no way diminished or altered, and that the Committee's right to the appointment of conferees during any conference on the bill remains intact.

Sincerely,

BOB STUMP, Chairman


Hon. ROBERT W. NEY, Chairman, Committee on House Administration, Washington, DC.

DEAR MR. CHAIRMAN: As you know, under Rule X of the Rules of the House of Representatives, Establishment and Jurisdiction of Standing Committees, the Committee on Government Reform has exclusive jurisdiction over matters relating to transportation of the mail, and all matters involving the United States Postal Service. H.R. 2295, the "Help America Vote Act of 2001," includes language that falls within the jurisdiction of the Committee (Title VII—Reduced Postage Rates for Official Election Mail). In its present form Title VII would create an open-ended subsidy that would be difficult to administer, and would be financed by a "tax" on postal customers.

I appreciate both you and your staff consulting with my Committee on your legislation. In accordance with our discussions you have agreed to remove Section VII of the bill. The Government Reform Committee will no longer have any jurisdictional claim over the question, since no other provisions of the bill are under the purview of the Committee.

Under the National Voting Rights Act of 1995, Congress contemplated that election officials would have the ability to access the same reduced mailing rates available to non-profit organizations. As you mentioned there have been a number of problems associated with the implementation of this part of the law. I am strongly committed to working closely with State and local election officials, the United States Postal Service and you to solve this problem. If this effort proves to be problematic I stand ready to examine alternatives—including a possible legislative solution.

Thank you again for your consultation and I would ask that a copy of this letter be included in the Congressional Record during Floor consideration. I look forward to continuing to work with you on matters of mutual concern.

Sincerely,

SHERWOOD L. BOEHLERT, Chairman

DEAR MR. CHAIRMAN: As you know, under Rule X of the Rules of the House of Representatives, Establishment and Jurisdiction of both Committees.

The Committee on Armed Services takes this action with the understanding that the Committee's jurisdiction over the provisions in question is in no way diminished or altered, and that the Committee's right to the appointment of conferees during any conference on the bill remains intact.

Sincerely,

BOB STUMP, Chairman


Hon. J. DENNIS HASTERT, Speaker, House of Representatives, Washington, DC.

DEAR MR. SPEAKER: In recognition of the desire to expedite floor consideration of H.R. 3295, the Help America Vote Act of 2001, the Committee on Armed Services agrees to waive its right to consider this legislation. H.R. 3295, as introduced on November 14, 2001, contains subject matter that falls within the jurisdiction of both Committees. The Committee on Armed Services takes this action with the understanding that the Committee's jurisdiction over the provisions in question is in no way diminished or altered, and that the Committee's right to the appointment of conferees during any conference on the bill remains intact.

Sincerely,

SHERWOOD L. BOEHLERT, Chairman

DEAR MR. NEY. Mr. Speaker, I urge the motion to recommit be defeated, and I urge support of the bill, and I yield back the balance of my time.

The SPEAKER pro tempore (Mr. LAHOOD). Without objection, the previous question is ordered on the motion to recommit.

There was no objection.

The SPEAKER pro tempore (Mr. LAHOOD). Without objection, the previous question is ordered on the motion to recommit.

Mr. MENENDEZ. Mr. Speaker, I objected to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER pro tempore (Mr. LAHOOD). Without objection, the previous question is ordered on the motion to recommit.

Mr. MENENDEZ. Mr. Speaker, I objected to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER pro tempore (Mr. LAHOOD). Without objection, the previous question is ordered on the motion to recommit.

Mr. MENENDEZ. Mr. Speaker, I objected to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER pro tempore (Mr. LAHOOD). Without objection, the previous question is ordered on the motion to recommit.

Mr. MENENDEZ. Mr. Speaker, I objected to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER pro tempore (Mr. LAHOOD). Without objection, the previous question is ordered on the motion to recommit.

Mr. MENENDEZ. Mr. Speaker, I objected to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER pro tempore (Mr. LAHOOD). Without objection, the previous question is ordered on the motion to recommit.

Mr. MENENDEZ. Mr. Speaker, I objected to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER pro tempore (Mr. LAHOOD). Without objection, the previous question is ordered on the motion to recommit.

Mr. MENENDEZ. Mr. Speaker, I objected to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER pro tempore (Mr. LAHOOD). Without objection, the previous question is ordered on the motion to recommit.

Mr. MENENDEZ. Mr. Speaker, I objected to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER pro tempore (Mr. LAHOOD). Without objection, the previous question is ordered on the motion to recommit.

Mr. MENENDEZ. Mr. Speaker, I objected to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER pro tempore (Mr. LAHOOD). Without objection, the previous question is ordered on the motion to recommit.

Mr. MENENDEZ. Mr. Speaker, I objected to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER pro tempore (Mr. LAHOOD). Without objection, the previous question is ordered on the motion to recommit.

Mr. MENENDEZ. Mr. Speaker, I objected to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER pro tempore (Mr. LAHOOD). Without objection, the previous question is ordered on the motion to recommit.

Mr. MENENDEZ. Mr. Speaker, I objected to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER pro tempore (Mr. LAHOOD). Without objection, the previous question is ordered on the motion to recommit.

Mr. MENENDEZ. Mr. Speaker, I objected to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER pro tempore (Mr. LAHOOD). Without objection, the previous question is ordered on the motion to recommit.

Mr. MENENDEZ. Mr. Speaker, I objected to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER pro tempore (Mr. LAHOOD). Without objection, the previous question is ordered on the motion to recommit.

Mr. MENENDEZ. Mr. Speaker, I objected to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER pro tempore (Mr. LAHOOD). Without objection, the previous question is ordered on the motion to recommit.

Mr. MENENDEZ. Mr. Speaker, I objected to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER pro tempore (Mr. LAHOOD). Without objection, the previous question is ordered on the motion to recommit.

Mr. MENENDEZ. Mr. Speaker, I objected to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER pro tempore (Mr. LAHOOD). Without objection, the previous question is ordered on the motion to recommit.

Mr. MENENDEZ. Mr. Speaker, I objected to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.
Mr. SCHAEFFER and Mr. RUSH changed their votes from "yea" to "nay."

Mr. NEAL of Massachusetts changed his vote from "nay" to "yea."

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore, Pursuant to clause 8 of rule XX, the Chair will now put the question on the motions to suspend the rules and on H.R. 1022 considered on the Corrections Calendar on which further proceedings were postponed on Tuesday, December 11, 2001.

Voting will be taken in the following order:

H. Con. Res. 282, by the yeas and nays;
H.R. 3209, by the yeas and nays;
H.R. 1022, by the yeas and nays;
H.R. 3446, by the yeas and nays.

The Chair will continue to reduce the time for which each electronic vote in this series will be taken.

KEEPING THE SOCIAL SECURITY PROMISE INITIATIVE

The SPEAKER pro tempore. The unfinished business is the question of suspending the rules and agreeing to the concurrent resolution, H. Con. Res. 282. The Clerk read the title of the concurrent resolution.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Florida (Mr. SHAW) that the House suspend the rules and agree to concurrent resolution, H. Con.
Mr. NEY. Mr. Speaker, I ask unanimous consent that All Members may revise and extend their remarks and to include extraneous material on the subject of H.R. 3295.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Wisconsin (Mr. GRENSENBERG) that the House suspend the rules and pass the bill, H.R. 3295, as amended, on which the yeas and nays are ordered.

The vote was taken by electronic device, and there were—yeas 423, nays 0, not voting 10, as follows:

[No Roll No.]

The SPEAKER pro tempore. The Clerk read the title of the bill.

The vote was taken by electronic device, and there were—yeas 415, nays 5, not voting 13, as follows:

(Roll No. 490)

The SPEAKER pro tempore. The un

**GENERAL LEAVE**

Mr. NEY. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to review and extend their remarks and to include extraneous material on the subject of H.R. 3295.

The SPEAKER pro tempore (Mr. LAHOOD). Is there objection to the request of the gentleman from Ohio? There was no objection.

**ANTI-HOAX TERRORISM ACT OF 2001**

The SPEAKER pro tempore. The unfinished business is the question of sus

**CONGRESSIONAL RECORD — HOUSE**

**H9309**

Res 292, on which the yeas and nays are ordered.

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 415, nays 5, not voting 13, as follows:

(Roll No. 490)

The vote was taken by electronic device, and there were—yeas 423, nays 0, not voting 10, as follows:

The vote was taken by electronic device, and there were—yeas 415, nays 5, not voting 13, as follows:
The vote was taken by electronic de-vice, and there were—yeas 420, nays 0, not voting 13, as follows:

<table>
<thead>
<tr>
<th>Yea</th>
<th>No</th>
<th>NV</th>
</tr>
</thead>
<tbody>
<tr>
<td>Delahunt</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Hall</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Johnson</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Jordan</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Joyce</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Jones</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Jones</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Kaptur</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Kelly</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Kennedy</td>
<td></td>
<td></td>
</tr>
<tr>
<td>King</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Kirk</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Kline</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Kline</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Kissell</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Kucinich</td>
<td></td>
<td></td>
</tr>
<tr>
<td>LaFalce</td>
<td></td>
<td></td>
</tr>
<tr>
<td>LaHood</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Lampson</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Lange</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Larsen</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Latham</td>
<td></td>
<td></td>
</tr>
<tr>
<td>LaTourette</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Leach</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Levin</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Lewis</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Lewis</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Lim</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Lofgren</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Lucas</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Lucas</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Lynch</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Manny</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Manzullo</td>
<td></td>
<td></td>
</tr>
<tr>
<td>McCarthy</td>
<td></td>
<td></td>
</tr>
<tr>
<td>McCarthy</td>
<td></td>
<td></td>
</tr>
<tr>
<td>McCarthy</td>
<td></td>
<td></td>
</tr>
<tr>
<td>McGovern</td>
<td></td>
<td></td>
</tr>
<tr>
<td>McInnis</td>
<td></td>
<td></td>
</tr>
<tr>
<td>McGovern</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Miller, Dan</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Miller, David</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Miller, Gary</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Mink</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Millikan</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Milch</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Mica</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Millender- McDonald</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Miller, Dan</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Miller, Jeff</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Mink</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Minchkin</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Morse</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Morano</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Moran</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Morris</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Murphy</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Napolitano</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Nastor</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Ney</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Northup</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Norwood</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Nunes</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Noemier</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Obey</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Oliver</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Ortiz</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Osborne</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Osler</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Owens</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Oxley</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Palone</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Pappas</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Pastor</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Paul</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Payne</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Pelosi</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Pence</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Peterson (MI)</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

So (three-thirds having voted in favor thereof) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

PUBLIC HEALTH SECURITY AND BiotERRORISM RESPONSE ACT OF 2001
The SPEAKER pro tempore (Mr. LAHOOD). The unfinished business is the question of suspending the rules and passing the bill, H.R. 3448.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Louisiana (Mr. TAUNZIN) that the House suspend the rules and pass the bill, H.R. 3448, on which the yeas and nays are ordered.

This will be a 5-minute vote.

The vote was taken by electronic de-vice, and there were—yeas 418, nays 2, not voting 13, as follows:

<table>
<thead>
<tr>
<th>Yea</th>
<th>No</th>
<th>NV</th>
</tr>
</thead>
<tbody>
<tr>
<td>Jenkins</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Johnson</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Jordan</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Joyce</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Jones</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Jones</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Kaptur</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Kelly</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Kennedy</td>
<td></td>
<td></td>
</tr>
<tr>
<td>King</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Kirk</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Kline</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Kline</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Lim</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Lofgren</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Lucas</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Lucas</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Lynch</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Manny</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Manzullo</td>
<td></td>
<td></td>
</tr>
<tr>
<td>McCarthy</td>
<td></td>
<td></td>
</tr>
<tr>
<td>McCarthy</td>
<td></td>
<td></td>
</tr>
<tr>
<td>McCarthy</td>
<td></td>
<td></td>
</tr>
<tr>
<td>McGovern</td>
<td></td>
<td></td>
</tr>
<tr>
<td>McInnis</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Miller, Dan</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Miller, David</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Miller, Gary</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Mink</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Minchkin</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Morse</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Morano</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Moran</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Morris</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Murphy</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Napolitano</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Nastor</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Ney</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Northup</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Norwood</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Nunes</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Noemier</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Obey</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Oliver</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Ortiz</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Osborne</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Osler</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Owens</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Oxley</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Palone</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Pappas</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Pastor</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Paul</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Payne</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Pelosi</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Pence</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Peterson (MI)</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

So (three-thirds having voted in favor thereof) the bill was passed.
The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

MOTION TO INSTRUCT OFFERED BY MR. OBEY
Mr. OBEY. Mr. Speaker, I offer a motion to instruct conferees.

The Clerk read as follows:

Mr. OBEY moves that the managers on the part of the House at the conference on the disagreeing votes of the two Houses on the Senate amendment to the bill, H.R. 3336, be instructed to insist on their amendment 18, which is the maximum level within the scope of conference for defense, homeland security, and local recovery efforts from the terrorist attacks of September 11, 2001, in particular, to increase the higher Senate level for defense, including fully funding the $7.3 billion requested by President Bush as emergency spending for defense.

The Chair recognizes the gentleman from Wisconsin (Mr. OBEY) to close the debate.

Mr. OBEY. Mr. Speaker, I yield my time to the gentleman from California.

H9311

General Leave

Mr. LEWIS of California. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks on the motion to go to conference on the bill, H.R. 3336, and that the result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

General Leave

Mr. LEWIS of California. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks on the motion to go to conference on the bill, H.R. 3336, and that the result of the vote was announced as above recorded.

There was no objection.

A motion to reconsider was laid on the table.

The SPEAKER pro tempore. Mr. THORNBERRY. Is there objection to the request of the gentleman from California?

There was no objection.

Appointment of Conference on H.R. 3338, Department of Defense Appropriations Act, 2002

Mr. LEWIS of California. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H.R. 3338) making appropriations for the Department of Defense for the fiscal year ending September 30, 2002, and for other purposes, with Senate amendment thereto, disagree to the Senate amendment, and agree to the conference asked by the Senate.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?
Are we going to accelerate our efforts to protect nuclear, biological and chemical weapons from falling into the wrong hands in the former Soviet Union now, or are we going to wait?

Are we going to clean up our mail, or are we going to wait?

Are we going to give the Nation’s Federal, State and local law enforcement officials the additional resources they need to find al Qaeda cells operating in this country, or are we going to wait?

There are people downtown who would like us to wait. They want to take the time to study these problems. They want to participate in these decisions. Perhaps they want credit for being part of the solution. That is all fine. We need their thoughts. We need their input. We need them both. Now. We are glad to give them credit, but we cannot wait. We are in a race against time. All you have to do to understand, that is, to look at the headlines every day (I have your attention) and look at the pictures on your television, and listen to what our enemies say. We may have an enemy that is wounded, but they are not destroyed. They are as dangerous what our enemies say. We may have an

time for funds to help recover from the attacks of September 11, an additional $2.6 billion above the amount in the House bill. There is only one way that that can happen. Everyone here needs to understand that this instruction will put the conference at least $5.3 billion above the House-passed bill.

Members may try to pretend that they cannot add, but numbers are stubborn things. If you want to tell the conferees to stay within the $20 billion limit that the House Republican leadership has mandated, then you had better vote against this instruction, because this instruction breaks that limit by at least $5.3 billion, and I make absolutely no apology for that in any way. We cannot add or subtract in both ways. You cannot spend the same money twice.

In fact, Members need to understand that the Senate bill includes $200 million to assist the Coast Guard to accept the Senate funding level. The Senate bill also includes a total of $285 million for the Coast Guard, compared to the House level of $145 million. The higher funding level in the Senate bill is needed so that the Coast Guard may continue its current, increased level of operations, and further expand its port security activities.

Since September 11, Coast Guard port security operations have increased substantially. The Coast Guard is now patrolling ports and checking crew lists of those entering our ports. Much more needs to be done to enhance port security, but what the Coast Guard has done is a good start.

These current Coast Guard operations should not be reduced; and the funding provided in the Senate bill will ensure that they are not. This motion would instruct the House conferees to accept the Senate funding level.

In closing, let me say that this motion to instruct is the right thing to do, it puts the security needs of this country and the traveling public. We should do no less.

Mr. OBEY. Mr. Speaker, I yield myself such time as I may consume.

I would like to say at the outset that I congratulate the gentleman from Wisconsin for the work that he has done on this issue. We have had this discussion between the two of us. We have had this discussion with the President of the United States. We have had this discussion at the Committee on Appropriations. And we had this discussion on the floor of the House when we passed the bill.

I would like to say, Mr. Speaker, I do not disagree with the needs that the gentleman from Wisconsin has pointed out here. If you recall, on September 14, the House, with the gentleman from Wisconsin and I working closely together, passed an emergency supplemental of $40 billion right after the attacks on the World Trade Center and the Pentagon. The same day, the Senate passed the bill and we actually conferred that bill and passed a conference report, all on the same day. So we moved quickly. We have proved that we can move quickly when it comes to the defense of our Nation and the protection of our citizens.

I want to make the case that of the $40 billion emergency supplemental, most of the money has not been allocated yet. In that $40 billion, the first $20 billion that the President had control over plus what the House did in our supplemental, there is $21 billion for the Defense Department to prosecute the war. Will it take more than that? Very likely.

We do not require that money today, but we are going to provide whatever is necessary to complete that war in Afghanistan and anyplace else that we
might have to go to seek out and destroy the terrorist cells that pose a threat to the United States of America and to our people and our interests, wherever they might be. We are going to provide whatever it takes to make that happen. We are not going to allow American citizens to live in fear, and we are certainly not going to allow our places and our properties to be attacked. That is pure and simple.

On the issue of biological and chemical terrorist threats, we need to be constant, and we are certainly concerned. This Congress several years ago began providing the preparation and the research necessary to combat any biological and chemical threat, but more needs to be done. In the House bill together with the President’s $20 billion package, there is already $2.2 billion. One of the most important things that we need to do is guarantee that our ports of entry, that our borders, are protected. We provide about $700 million immediately to begin to hire and train the people who would provide that security.

As for transportation, the United States of America, without transportation is in deep trouble. Economically and every other way, from the national defense standpoint, our transportation systems must be safe. We provide funding for the hiring of sky marshals and to train them and to implement stronger security requirements at our airports and our other transportation stations.

We have $1.2 billion already here to begin that.

We need to assist our State officials, local officials and Federal officials who deal with the antiterrorism law enforcement. We have $400 million to begin that process already in the bill.

Nuclear nonproliferation activities are where we have reined in our regular bills for this purpose. We add another $100 million in the package that we present today.

To the City of New York, we have all made commitments to the City of New York. We are going to keep them. The President agreed to a $20 billion package for New York, and we immediately agreed to that; and it was put into our $40 billion emergency supplemental. Already in the package that we present, $10 billion is made for the City of New York. We are doing all of these things at the present time.

Now, we could take the package of the gentleman from Wisconsin (Mr. O’BEY), and, frankly, I would have liked to have supported it all the way through the process with the President, the leadership, the committee, and lastly, on the floor. But we agreed to a $20 billion limit on the supplemental, and that is the only difference that I have with the gentleman from Wisconsin (Mr. O’BEY) on this motion to instruct today.

We are going to do the items that the gentleman from Wisconsin (Mr. O’BEY) identifies, because he and I have gone over these items already, and I agree with what he is suggesting. The only difference we have is timing.

The President of the United States has said that he will request an emergency supplemental at the moment that it is needed, when we do not have enough money already in the pipeline to provide the things that we are talking about here to secure our Nation. Our leadership has promised that when that request is made available to us it will be presented immediately in the House bill.

As chairman of the Committee on Appropriations, I have made the commitment over and over again that I will move that supplemental appropriations bill just as soon as I possibly can after we receive the information and the request from the President of the United States, who is leading the battle to secure America, who is leading the battle to seek out the perpetrators of terrorism, and to do away with terrorism and to make us secure at any time in the future.

The President is the leader. Congress is important, we are in a support role in this issue; but we cannot all run that war. That is why we have a Commander in Chief as proposed by the Constitution of the United States.

So, Mr. Speaker, today I am going to accept the gentleman’s motion to instruct, with that reservation that we are going to try to do as much as we possibly can on that motion within the $20 billion limit, and that we will address the additional amounts at whatever moment they are identified as being required.

Mr. Speaker, I reserve the balance of my time.

Mr. OBEY. Mr. Speaker, I yield myself 2 minutes.

Mr. Speaker, what we just heard from my good friend from Florida is that he is going to accept this amendment which requires the conference committee to report back with a bill which is $5.3 billion higher than the $20 billion ceiling to which he has just referred, and yet he has suggested that somehow he is going to reserve the right to come back still under that $20 billion cap. One cannot do both at the same time.

Now, I sympathize with the gentleman, because I know he is personally in favor of what we are trying to do. So I was impressed on the Republican side of the aisle. They have told me that. His problem is he has been ordered by his leadership, no matter what, to stay under the $20 billion ceiling.

He knows he cannot win a vote against this motion, and so he is accepting it to try to teach all meaning from the vote. Yet you cannot hide from the fact that this motion to instruct says we should ignore the $20 billion artificial limit and meet the legitimate security needs of this country, both in the defense budget and in homefront defense. That is what this motion says.

If people want to try to play it both ways, I understand the gentleman’s dilemma, but that does not make his position any more real.

Mr. Speaker, I yield 1 minute to the gentleman from Massachusetts (Mr. FRANK).

Mr. FRANK. Mr. Speaker, I think in fairness to the gentleman from Florida, my friend misheard him. I do not always speak with perfect diction. I understand when people mishear people. I do not think I would accept, A-C-C-E-P-T; he said he would except it, E-X-C-E-P-T. That means he is going to vote for it, except for the money for the Defense Department; he is going to vote for it, except for the money for New York; and he is going to vote for it, except for the money for domestic homeland security.

So, if the gentleman had said he was going to accept it and simultaneously disregard it, you would be perplexed; but if you had understood him correctly saying he is going to except it and do everything except what it says it is supposed to do, the perplexity would be gone.

Mr. OBEY. Mr. Speaker, I yield myself 2 minutes.

Mr. Speaker, I think what the gentleman is pointing out is there is a word game going on here, and the fact is this is too serious for games. The gentleman from Florida is right in his heart. He knows we need this money. He knows we need it now.

He knows that we need new border guards now, not in 3 months. He knows we need greater security at the FBI, the NSA and a number of other national security agencies. He knows we need it now, not later. He knows that we need a far greater protection for public health than we have right now. He knows that right now we are not prepared for chemical or biological attacks in most of the municipalities in this country.

He knows all of that, but he is being required by his leadership to pretend that this motion to instruct does not in fact vitiate his leadership’s instructions, because his leadership knows and he knows they cannot win a vote on the merits, because there are too many responsible Republicans who recognize that this money is needed and it is needed now.

Mr. Speaker, I yield 2 minutes to the distinguished gentleman from New York (Mr. NADLER).

Mr. NADLER. Mr. Speaker, I rise in support of the motion to instruct. I opposed the House version of this bill precisely because it failed to live up to the House’s commitment and in fact repealed the requirement in the original supplemental bill that we had earlier passed to provide at least $20 billion in relief and recovery costs to the victims of the September 11 attack and to the people of New York, Virginia, and Pennsylvania.

Thankfully, we still have a chance to improve the bill and increase funding for areas of critical need, and that is
December 12, 2001

Mr. Speaker, I have been concerned about our crossing that line of the agreement, because it conceptionally could lead to a veto, but I think the gentleman’s motion today is very helpful in connection with that, because it, indeed, is very possible that the other body will come in with a lot less in that package than we have, and if there is a statement here that suggests that we really know what we would prefer to have move, that may very well cause the administration to bring us back for a supplemental much earlier. So I feel very comfortable with this discussion and I hope we go forward positively.

Mr. MURTHA. Mr. Speaker, reclaiming my time, I just hope that when Members vote on this, they will understand that we need more money in homeland security. We need to speed up the process of getting teams to combat biological and chemical warfare out; we need money for the borders; we have not been able to get the money that we need in the first place. We have been resisting this on the House side.

Mr. Speaker, I have been concerned that the gentleman from California (Chairman LEWIS) decided that he could not support extra money is because when the President said he is going to veto the bill, he would veto that. I know that. We have this artificial ceiling we have to deal with, but I hope at some point we can convince the President and the Speaker that we really do have a problem here.

Mr. LEWIS of California. Mr. Speaker, will the gentleman yield?

Mr. MURTHA. I yield to the gentleman from California.

Mr. Speaker, I have been concerned about our crossing that line of the agreement, because it conceptionally could lead to a veto, but I think the gentleman’s motion today is very helpful in connection with that, because it, indeed, is very possible that the other body will come in with a lot less in that package than we have, and if there is a statement here that suggests that we really know what we would prefer to have move, that may very well cause the administration to bring us back for a supplemental much earlier. So I feel very comfortable with this discussion and I hope we go forward positively.

Mr. MURTHA. Mr. Speaker, reclaiming my time, I just hope that when Members vote on this, they will understand that we need more money in homeland security. We need to speed up the process of getting teams to combat biological and chemical warfare out; we need money for the borders;
but we also need money for operational money and the war. I know we will take care of the immediate needs, but I worry about the supplemental, and I hope we are putting the executive branch on notice that they need to send us a supplemental as soon as possible, that we will not stop Congress so let those experts at OMB decide when the supplemental is sent up.

So I would just urge the Members to vote for this motion and, hopefully, in the subcommittee, we will be able to work within under the artificial limitations we have, and then they will understand that we need more money and get the supplemental up as quickly as possible.

Mr. YOUNG of Florida. Mr. Speaker, I yield myself 1 minute.

I rise to agree with the gentleman from Pennsylvania (Mr. MURTHIA). He is one of the best national defense experts that I know anywhere in the House or the Senate, or at the Pentagon, as a matter of fact. He is right. He mentioned the tankers. There is no doubt that our tankers have been worn out. Our AWACS, we actually have foreign AWACS flying around the United States protecting our major cities. There is no doubt we have a lot of needs.

But I also agree with the gentleman that we should have a supplemental as early as we possibly can. He mentioned how slow the administration was last spring getting us a supplemental and, again, he was right. But that was pre-war. When that supplemental came down, it was before September 11. After September 11, we took up the emergency supplemental, passed it in the House, the Senate, and conferenced it all on the same day. So we can move quickly when the security of our Nation is at risk.

Mr. Speaker, I reserve the balance of my time.

Mr. OBEY. Mr. Speaker, I yield 3 minutes to the distinguished gentleman from Texas (Mr. EDWARDS).

Mr. EDWARDS. Mr. Speaker, nuclear terrorism is a serious threat to our Nation and our families, but this Congress is not acting like it. Inexplicably, in the waning hours of this session of Congress, we will have spent less on nuclear nonproliferation this year than we did last year.

Considering the consequences of September 11, the fact is, the President has learned in recent weeks since then about even al Qaeda trying to get its hands on nuclear materials which could, in effect, kill millions of American citizens in one nuclear incident, I just cannot understand how we can go back home to our constituents and say we should be spending less to protect them from the potential holocaust of nuclear terrorists.

President Bush recently said that preventing nuclear terrorism should be a top national priority. I agree. The President is right. I think today it is time we start following through on that belief.

We have had enough rhetoric about dealing with nuclear terrorists. Tonight, in this Obey motion, we need to actually take concrete action to prevent it. We must decide whether we just want to talk about stopping nuclear terrorism or really want to prevent them. I believe we have an obligation to our constituents and families and, yes, even our children and grandchildren to do everything possible now, not next year, not the year after, to do something now to stop a nuclear holocaust just like we did after September 11.

Mr. EDWARDS. Mr. Speaker, nuclear terrorism is the most urgent unmet national security threat to the United States.

In my opinion, as of this moment, this Congress has failed in our serious responsibility to the American people to take responsible, effective, proven steps to keep nuclear materials away from terrorists.

Nobody in this House or this country would intend to help nuclear terrorists, but I would suggest that we have to do something about them; we have to fund the programs that help protect nuclear materials from these kinds of people.

The Obey motion that we will vote on in just a few moments will add over $220 million to proven, effective programs that our Department of Energy has carried out in Russia to protect Americans from nuclear holocaust.

The question of timing has been raised. Well, let us just wait until next year. The President will have a proposal, let us fund it then. If that is what happens, I hope and pray that that will be soon enough. But taking action next year will not do Americans and future generations any good if $220 million is stolen next month or in the next several months. We must support this Obey motion.

Mr. YOUNG of Florida. Mr. Speaker, I yield 2 minutes to the gentleman from New York (Mr. WALSH), a subcommittee chairman on the Committee on Appropriations.

Mr. WALSH. Mr. Speaker, I thank the gentleman for yielding me time.

The Obey motion is difficult to follow. The gentleman from Wisconsin (Mr. OBEY), the leader of the minority on this issue, offers a motion to instruct. Our chairman, the leader of the majority on this issue, accepts. But what does this really mean? Well, I would submit that it means nothing, because we are not instructing the Senate; the Senate is instructed by the Senators. We are instructing the House conference. Since there is no controversy over the defense bill, the only thing we are looking at is the conference on is the supplemental.

Now, who are the conferences? Well, they just happen to be all here today at the same time in the same room: the gentleman from Wisconsin (Mr. OBEY), the gentleman from California (Mr. LEWIS), and the gentleman from Florida (Mr. YOUNG). They know how they are going to vote, clearly. So who are we really instructing? What is this exercise about? Polemics? Politics? I am not sure.

The fact is, the President has made the point over and over again. The supplemental will not go over $20 billion. It took me a while to figure that out. I offered an amendment in the Committee on Appropriations to add money to this. We lost the amendment. The House decided not to go over $20 billion, and we did not. The Senate, reacting to what the House did and what the President said that he would do, also did not go over the $20 million. I submit to my colleagues, Mr. Speaker, that the conference will not go over $20 billion either.

Now, there are a couple of problems with that. One has not happened. We have not helped workers with unemployment insurance benefits or their health benefits. If the Senate majority leader, Mr. DASCHLE, would stop obstructing the stimulus package and let that bill go forward, we could deal with the really vital issues that need to be dealt with in this bill.

So, Mr. Speaker, I would submit that we need to move forward on this bill and we need to have this conference that we need to get these expenditures resolved quickly.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. THORNBERY). The Chair will remind all Members not to urge Senate action or inaction on any matter.

Mr. OBEY. Mr. Speaker, I yield myself 30 seconds.

Mr. Speaker, the gentleman asked what this is about. It is very simple. What this is about is the fact that October 7, 1942, 69 Americans died 3 months ago because the country was hit by terrorists in an unexpected way. What this is about is trying to see it that that does not happen again. That is what this is about.

Mr. Speaker, I yield 3 minutes to the distinguished gentleman from Washington (Mr. DICKS).

Mr. DICKS asked and was given permission to revise and extend his remarks.

Mr. DICKS. Mr. Speaker, I want to rise in very strong support of this motion. As I understand it, we would go to the higher levels and, in that case for defense, it would be additional; we would go back to the $7 billion that we did in the House.

In my judgment, we desperately need that money for defense and national security. One of the things that came out at our hearings this year, led by the gentleman from California (Mr. LEWIS) and the gentleman from Pennsylvania (Mr. MURTHIA), is that each of the services told us that they were somewhere between $10 billion and $12 billion short on money for procurement of new
ICHUNTER) and those guys, but also the
serve on is the Subcommittee on De-
have stated in the well before that the
given permission to revise and extend
tions.
Fense of the Committee on Appropria-
member of the Subcommittee on De-
from California (Mr. CUNNINGHAM), a
better job of modernizing and, there-
lem that will occur if we do not do a
force. I think it is the number one de-
this war, add the additional money
Navy, he has to buy 10 ships a year.
tems. The CNO of the Navy testified
tration is a little below them this year
in the 2002 budget on procurement, is
in the new weapon systems. The CNO
in order to maintain a 300-ship Navy, he has to buy 10 ships a year. The budget only allows him 5. In order to maintain and reduce the age of the aircraft, the attackers coming off those carriers that we see operating and flying into Afghanistan, he has to acquire 180 to 210 planes a year. He is only able to buy 81.

So if we continue to reduce the money in this supplemental for defense, we are going to have problems equipping the force and doing the things that are essential.

I just hope that this Congress can work with this President and, during this war, add the additional money that is necessary to recapitalize our forces. I think it is the number one defense priority. We are doing a good job on readiness. We are helping our troops with adequate pay increases and health care, but what we really are failing to do is to get the new equipment that they will be using. I worry, as we saw one of the B-1s lost today, and we are pleased to hear that the pilots were able to bail out and I think are safe, hopefully. But it is that kind of problem that will occur if we do not do a better job of modernizing and, therefore, I hope we can save this $5 billion, and I support the Obey motion.

Mr. YOUNG of Florida. Mr. Speaker, I yield to the gentleman from California (Mr. CUNNINGHAM), a member of the Subcommittee on Defense of the Committee on Appropriations.

(Mr. CUNNINGHAM asked and was given permission to revise and extend his remarks.)

Mr. CUNNINGHAM. Mr. Speaker, I have stated in the well before that the two committees which are the best to serve on is the Subcommittee on Defense, but what we really are failing to do is to get the new equipment that they will be using. I worry, as we saw one of the B-1s lost today, and we are pleased to hear that the pilots were able to bail out and I think are safe, hopefully. But it is that kind of problem that will occur if we do not do a better job of modernizing and, therefore, I hope we can save this $5 billion, and I support the Obey motion.

Mr. YOUNG of Florida. Mr. Speaker, I yield to the gentleman from California (Mr. CUNNINGHAM), a member of the Subcommittee on Defense of the Committee on Appropriations, and when I served on the Authorization Committee with the gentleman from Missouri (Mr. SKELTON) and the gentleman from California (Mr. HUNTER) and those guys, but also the Permanent Select Committee on Intelligence. The gentleman from Wisconsin (Mr. OBEY) and the gentleman from Pennsylvania (Mr. MURTHA) and the gentleman from Washington (Mr. DICKS) know that yes, we need funds. We need them desperately, not just for our forces, but we need them for homeland defense also.

My point is, why are we here in this position? Why are we here today asking for more and more money? Eight years of the Clinton administration and 124 deployments has nearly devas-
stated our military. The cruise mis-
siles, we do not have JDAM kits for precision-guided weapons today. We have 37 ships tied up that we cannot re-
pair. We need permission to replenish the supplemental. Why? Because the President does not want it. That is really quite striking. That is the second interesting constitutional reason that the gentleman from Florida (Mr. YOUNG) said the President leads and we support. In terms of the deploy-
ment of troops and the command in the field, of course that is the case. But in terms of allocation of resources, this is a very odd constitutional theory, that it is somehow inappropriate for Congress to say to the President, we think you need more money. It is a good thing Harry Truman did not believe that during World War II when he did say a good job of command.

I just hope that this Congress can work with this President and, during this war, add the additional money that is necessary to recapitalize our forces.

We are going to want money there. But we cannot keep deficit spending on all of these; and yes, there are priorities. The condition we are in right now of having to build ourselves out of this hole is going to take a while. We cannot spend all this money; we cannot spend $20 billion, in 3 months. We will spend it as we need it, and with the supplemental coming down the line.

If we try to do it now, we have all this money; and a lot of it is going to go where the gentleman and I do not want it to go.

Mr. DICKS. Mr. Speaker, if the gent-
leman will yield further, the gent-
leman would not argue that we are not short of the procurement dollars that are needed to modernize the forces, would he? Would the gentleman not agree with that?

Mr. CUNNINGHAM. Mr. Speaker, I think that is exactly what I said. But the reason we got here is because 124 deployments in the last years of the Clinton administration have greatly de-
stroyed our military, and we cannot ball ourselves out of it.

Mr. YOUNG of Florida. Mr. Speaker, I reserve the balance of my time.

Mr. OBEY. Mr. Speaker. I yield 3 minutes to the distinguished gent-
leman from Massachusetts (Mr. FRANK).

Mr. FRANK. Mr. Speaker, there are several oddities being announced today. One is that when we know we are going to need more money, we are given a supplemental, not the bill, vote all that we are going to need, but we should hold some back for a supple-
mental.

I had thought the purpose was, when we were pretty sure we were going to need money, to vote that at the outset so there could be intelligent planning on the part of those receiving it, and reserve a supplemental for something unexpected. We are told here, yes, you need the bill, but do not let us do it in the overall budget bill. Let us wait for a supplemental. Why? Because the President does not want it.

That is really quite striking. That is the second interesting constitutional reason that the gentleman from Florida (Mr. YOUNG) said the President leads and we support. In terms of the deploy-
ment of troops and the command in the field, of course that is the case. But in terms of allocation of resources, this is a very odd constitutional theory, that it is somehow inappropriate for Con-
gress to say to the President, we think you need more money. It is a good thing Harry Truman did not believe that during World War II when he did say a good job of command.

Mr. YOUNG of Florida. Mr. Speaker, I yield to the gentleman from California (Mr. CUNNINGHAM), a member of the Subcommittee on Defense of the Committee on Appropriations, and when I served on the Authorization Committee with the gentleman from Missouri (Mr. SKELTON) and the gentleman from California (Mr. HUNTER) and those guys, but also the Permanent Select Committee on Intelli-

For example, when we pass a supplemental, whether we need it or not, we need it because the President does not want to vote the money, and we have to wait for the supplemental. Why? Because the President does not want it.

That is really quite striking. That is the second interesting constitutional reason that the gentleman from Florida (Mr. YOUNG) said the President leads and we support. In terms of the deploy-
ment of troops and the command in the field, of course that is the case. But in terms of allocation of resources, this is a very odd constitutional theory, that it is somehow inappropriate for Con-
gress to say to the President, we think you need more money. It is a good thing Harry Truman did not believe that during World War II when he did say a good job of command.

I have a question: Where did that wonderful military come from? It came from Afghanistan. The President does not want it, so we need it. We need the bill, but let us just do it in the supplemental.

All last year, I heard Candidate Bush and Candidate Cheney talk about how weak and pitiful the American mili-
tary had been. We heard again from the gentleman from California that the American military had been reduced to a state of pitiful decrepitude.

I have a question: Where did that wonderful military come from? It came from Afghanistan. The President does not want it, so we need it. We need the bill, but let us just do it in the supplemental.
The supplemental is meant to be a way of taking care of unanticipated needs; it is not supposed to be a way to show congressional submission to an all-powerful executive which feels it would be inconvenient to spend now what it knows it is going to have to spend later.

I hope that the resolution is adopted, and that it is in fact conscientiously carried out by those who vote for it.

Mr. YOUNG of Florida. Mr. Speaker, I yield myself the balance of my time.

Mr. Speaker, I do not think we are far apart on this as it seems. We all understand what the requirements are. Mainly, we are talking about timing.

What I suggest is we get about this conference report and bring it back to the floor so that the House can complete it on next week. The gentleman from California (Mr. LEWIS), as chairman of the subcommittee, and the gentleman from Pennsylvania (Mr. MURTHA), as the ranking member, have done an outstanding job in preparing an excellent bill.

Are there other requirements? Absolutely. I can tell the Members, we have worked together extremely well. We have worked together on all of our bills. We have worked together exactly the way the committee intended.

On the other hand, the bill that we are debating today is $317 billion. That is a lot of money. We have said that when additional money is needed over and above that, we are going to make it available. Who better knows than the Commander in Chief of the Armed Forces what they need to conduct the war in Afghanistan, or wherever that war might take us, to eliminate the threat of terrorism, to disrupt the ability of our enemies to threaten the United States of America?

Mr. Speaker, I would just suggest to my friend, the gentleman from Wisconsin (Mr. OBEY), and I complimented the gentleman from California (Chairman LEWIS) and the gentleman from Pennsylvania (Mr. MURTHA), and I would not only compliment but thank the gentleman from Wisconsin for how we have worked together on all of our bills.

The gentleman from Wisconsin and I made a strong presentation to the President. The President made a final decision, as Commander in Chief; and that is the decision that we are working with today.

So now we are at the point where the gentleman from Wisconsin (Mr. OBEY) has made a motion to instruct the conferees. I have already said that we are going to accept that motion, so I just ask the gentleman from Wisconsin (Mr. OBEY) to take “yes” for an answer.

Mr. Speaker, I yield back the balance of my time.

Mr. OBEY. Mr. Speaker, I yield myself the balance of my time.

Mr. Speaker, the question before us is very simple: What is more important, to adhere to an artificially imposed $20 billion spending ceiling on national security-related items, or to do what we think is necessary today to deal with our vulnerabilities?

Are told by the majority Members, wait until next year. In my view, that is a slogan more befitting a Chicago Cubs fan than it is a Member of Congress.

If we take a look at what my good friend, the gentleman from California (Mr. CUNNINGHAM), has said, he said that we have urgent military needs; yet we are being told that those needs have to be sacrificed to that $20 billion ceiling that we supposedly agreed to.

There is no such ceiling. That ceiling is a fiction. When we agreed to supplemental funding requests after the attack of September 11, we all agreed, and the President, the gentleman from Florida (Mr. YOUNG), and I are all on record publicly as admitting that that was simply a downpayment. It was not a final ceiling; it was a downpayment on meeting future needs. The needs are obvious to Members on both sides of the aisle know it.

We are told we are supposed to wait. We are told that this money cannot be used now. Not true. We can hire more border guards now. We have had over 600 of them already cleared by the agency. They are just waiting to get the authority and the money to hire them.

We can give the FBI a modern computer system now. Right now they have computers that cannot even do pictures. If they want to send a picture of a suspected criminal from one station to another across the country, at least one-third of their computers do not have the capacity to do that. And we are asked to wait? Give me a break.

We can improve the percentage of imported food that is inspected at our borders now. Only 1 percent is inspected right now. Yet we are told that somehow, rather than doing these things, we have to adhere to this $20 billion agreement. The fact is very simple: to wait is to play Russian roulette with the safety of every American.

Make no mistake about it, a great effort has been made here today to imply that Members can vote for this motion and still vote to keep the $20 billion ceiling. Members cannot. This motion specifically instructs the conferees to accept the higher dollar amount contained in the House bill for defense funding in the supplemental. It instructs the conferees to accept the higher dollar amount for assistance to New York, which is only half of that which was originally committed by the President, and it requires the conferees to accept the higher Senate amount for homeland security.

That means that if the conferees do that, they will be required to bring back to this floor a bill which contains more than $5.3 billion in additional security spending above the level that would be imposed by that $20 billion artificial ceiling. Mr. Speaker, they cannot vote for this motion and then claim to be consistent with it if they bring back a bill which falls short of that $5.3 billion add-on.

The American public wants these expenditures, the vast majority of Members want these expenditures, and the only reason the gentleman from Florida (Mr. YOUNG) has accepted it while at the same time trying to pretend that he can still stay within that $20 billion ceiling is because he knows that his leadership could not win a vote against this motion if they took it on. That is because most Members of Congress recognize this funding is necessary, and so do most members of the American body politic.

Mr. Speaker, this Congress did not say, Wait until next year, before it decides to give $24 billion in 15-year retroactive tax breaks to some of the biggest companies in this country. It did not say, Wait until next year, to the people who were given multi-billion dollar tax breaks on the estate tax. But we come to providing more help for the FBI, more help for the Customs people, more help for our other security agencies, we are now told, Wait until next year.

Let us do it now. Vote for this motion to instruct and mean it.

Mrs.LOWEY. Mr. Speaker, I rise in strong support of this motion to instruct. In the three months since terrorists attacked America, Congress and the American people have been called upon to make extraordinary commitments.

Our men and women in uniform are risking their lives, helping to liberate Afghanistan from the grip of al-Qaida and and root out terrorists. Ordinary citizens are making sacrifices, volunteering their time and money to help victims of the attacks. And, in the days immediately following the September 11th attacks, Congress took unprecedented action to do its part—providing $40 billion in emergency funding to help the rescue and recovery effort, enhance our military might, and ensure the safety and security of all Americans.

Despite our best intentions, what we provided was not enough. And we know we can do better. We must do right by our military, we must do right by the American people, and we must do right by the people of New York.

The week of September 17th, the President made a promise to provide whatever it took to rebuild New York. And Congress made that promise law, setting aside $20 of the $40 billion in emergency funding for relief and reconstruction. But neither the Senate nor the House bill fulfilled the promise to cover security deposits in temporary homes, and to repair their apartments.

Small businesses need grants to stay solvent.
And it is not just New York that is hurting. The American people have become victims of the fear and uncertainty that terrorism breeds. And, while investments in homeland security will not allay all the fears—they will go a long way to keep our communities safe. Safe from threats to our postal system and our food and water supplies. Safe from threats to our ports, our borders, and our schools. It is our responsibility to invest in safety both at home and abroad—providing adequate funds to ensure the superiority of our military and the security of our citizens.

It is simply wrong to force the American people to choose between homeland security and a strong national defense. And it is wrong to force us to choose between either of these and cleaning up New York.

$40 billion will not be enough to meet all of our commitments, but we have been blocked from increasing this amount before the end of the year. I urge our conferees to maximize our investment in all of these priorities, and I hope Congress will return in January ready to do it. I urge our conferees to maximize our investment in all of these priorities, and I hope the year. I urge our conferees to maximize our investment in all of these priorities, and I hope Congress will return in January ready to do it. I urge our conferees to maximize our investment in all of these priorities, and I hope Congress will return in January ready to do it. I urge our conferees to maximize our investment in all of these priorities, and I hope Congress will return in January ready to do it. I urge our conferees to maximize our investment in all of these priorities, and I hope Congress will return in January ready to do it.

The American people have become victims of the fear and uncertainty that terrorism breeds. And, while investments in homeland security will not allay all the fears—they will go a long way to keep our communities safe. Safe from threats to our postal system and our food and water supplies. Safe from threats to our ports, our borders, and our schools. It is our responsibility to invest in safety both at home and abroad—providing adequate funds to ensure the superiority of our military and the security of our citizens.

It is simply wrong to force the American people to choose between homeland security and a strong national defense. And it is wrong to force us to choose between either of these and cleaning up New York.

$40 billion will not be enough to meet all of our commitments, but we have been blocked from increasing this amount before the end of the year. I urge our conferees to maximize our investment in all of these priorities, and I hope Congress will return in January ready to do it. I urge our conferees to maximize our investment in all of these priorities, and I hope Congress will return in January ready to do it. I urge our conferees to maximize our investment in all of these priorities, and I hope Congress will return in January ready to do it. I urge our conferees to maximize our investment in all of these priorities, and I hope Congress will return in January ready to do it. I urge our conferees to maximize our investment in all of these priorities, and I hope Congress will return in January ready to do it. I urge our conferees to maximize our investment in all of these priorities, and I hope Congress will return in January ready to do it.
This will be a 5-minute vote.  

The vote was taken by electronic device, and there were—yeas 407, nays 0, not voting 26, as follows:  

(Roll No. 495)  

<table>
<thead>
<tr>
<th>Yeas</th>
<th>Nays</th>
<th>Not Voting</th>
</tr>
</thead>
<tbody>
<tr>
<td>26</td>
<td>0</td>
<td>26</td>
</tr>
</tbody>
</table>

YEAS—407

Crane
Cramer
Coyne
Cooksey
Conyers
Coble
Clay
Carson (IN)
Capps
Capito
Cannon
Calvert
Callahan
Burton
Burr
Bryant
Brown (SC)
Brown (OH)
Boucher
Boswell
Bosch
Boyd
Braun (IN)
Bragg
Brown (FL)
Brown (OH)
Brown (NC)
Bryant
Burr
Burton
Callahan
Calderwood
Cannon
Cantor
Capito
Capps
Capuano
Cardin
Carson (IN)
Carson (OK)
Castle
Chabot
Chambliss
Clark
Clayton
Clement
Clyburn
Collins
Combest
Conditt
Conyers
Cooke
Costello
Cox
Coyne
Cramer
Crane

A message from the Senate by Mr. Monahan, one of its clerks, announced

APPROPRIATIONS BILLS, 107TH CONGRESS, 1ST SESSION

**CONGRESSIONAL RECORD—HOUSE**

**H9319**

December 12, 2001

The Chair: The ayes have it.  

The motion was made and seconded to reconsider the vote as announced above.  

**FURTHER MESSAGE FROM THE SENATE**

A message from the Senate by Mr. Jeffords, one of its clerks, announced

that the Senate has passed without amendment a bill of the House of the following title:

H.R. 3323. An act to ensure that covered entities comply with the standards for electronic health care transactions and code sets adopted under part C of title XI of the Social Security Act, and for other purposes.

The message also announced that the Senate has passed the following bills in the titles in which the concurrence of the House is requested:

S. 1729. An act to provide assistance with respect to the mental health needs of individuals affected by the terrorist attacks of September 11, 2001.


**DIFFERENCES WITH THE OTHER BODY**

(Mr. KINGSTON asked and was given permission to address the House for 1 minute and to revise and extend his remarks and include extraneous material.)

Mr. KINGSTON. Mr. Speaker, the House this year has had a very, very productive year. We have passed a good education bill, we have passed a faith-based initiative bill, we have passed an energy package; and, of course, we have passed an economic stimulus bill.

A funny thing has happened, though, on the way to the President’s desk. It is called the United States other body, whose leader said, and I quote, or this is what has been said by that leader: “The economic stimulus issue is not a front-burner issue. Other legislation, particularly government spending, is more important.”

That is a defining difference between the Republican House and the Democratic Senate. We believe people who are out of work, businesses that are cutting back, the economy that is going sluggish should be a front-burner issue. Unfortunately, the United States other body thinks it is no big deal, and that passing spending bills is more important.

But how are they doing on passing other spending? Here is what we have done on the House side. We have passed the energy bill, the economic stimulus bill, the faith-based, the farm bill, trade promotion, antiterrorism and human cloning.

Where is the Senate? Nowhere. Maybe Mr. JEFFORDS needs to reexamine.
ANNOUNCING INTRODUCTION OF WORKER OPPORTUNITY AND RELIEF COMMISSION ACT

(Mr. MOORE asked and was given permission to address the House for 1 minute and include extraneous material.)

Mr. MOORE. Mr. Speaker, on September 11, the people in the Congress came together with the President and all the American people as a result of the tragedy on September 11 in New York and Washington. I think we need to show that same spirit again when we come together for displaced workers in this country.

The people in this country who lost their jobs as a result of the faltering economy or the horrible event on September 11 do not need a handout. They do not need a tax cut. They need a helping hand just to get through this personal crisis they have suffered as a result of their loss of jobs until they can find a new job. These people are taxpayers and they will work again until they find a new job.

I am concerned that the latest press accounts reflect there may be some concern for extended unemployment benefits. Until that time, they need health insurance, and they need extended unemployment benefits.

I have introduced today the Worker Opportunity and Relief Compensation Act. I ask for your support for that stand-alone provision.

I believe that the recent proposal from the House Republicans, coupled with the essential components of an economic stimulus bill that I have outlined above, can form the basis of a legislative package that provides the assistance and new jobs that American workers need now. I urge the Congressional Leadership to bring this legislation expanding unemployment and health benefits to my desk by the end of the year. Additionally, I urge Congress to send me legislation regarding any other elements of the economic stimulus measures now pending.

We have seen the resurgence in patriotism. We have seen people who are more cordial and certainly have a greater desire to serve the country. In an attempt to harness this energy, the Call to Service Act would enlist 250,000 people, young people and old people alike, to serve our country. There are three aspects I would like to touch on very briefly here today.

First of all, rural and underserved areas often do not get much mention in a bill of this type. However, the National Call to Service Act does make sure that all areas of the country, particularly rural areas, are recognized. One example of this would be the teacher corps which would provide educational awards to attract and keep teachers in rural areas where it is very difficult to attract and keep teachers in such underserved areas. Another example would be public health programs where again rural areas are often neglected and underserved.

The second area of the National Call to Service Act I would like to call attention to is homeland defense. We have many young people who would like to serve the country, but yet do not want to go into full-time military service. This bill would provide young people with an opportunity to serve 18 months of active duty and then 18 months in a reserve status. In return, they get an educational award at the end of their service.

These young people would be used to guard vulnerable areas such as buildings, bridges, nuclear plants, airports and our borders. Also in the event of a national catastrophe involving bioterrorism, we need a great many people who could provide technical assistance in case of a health emergency.

Thirdly, one of our greatest resources in this country at the present time that I believe is greatly underutilized is our senior citizens. We currently have a great number of children who lack a caring adult in their life. They have no role model. We have 18 million fatherless children in the United States today. Roughly one-half of our young people growing up in this country are growing up without both biological parents. Seniors can certainly fill this gap. They can serve as mentors for these young people. It has been very well established that a good mentoring program can reduce absenteeism...
from school by 50 percent, can reduce drug abuse by 50 percent, can reduce teenage pregnancy, violence and drop-out rates significantly.

We think that by utilizing our seniors more effectively, we can serve the country we and particularly the youth of our Nation.

Mr. Speaker, at this time I yield to the gentleman from Tennessee (Mr. FORD), and he will discuss other aspects of the Call to Service Act.

Mr. FORD. Mr. Speaker, I thank the gentleman from Nebraska (Mr. OSBORNE) for yielding; and I come from a State with a good football team, but I am delighted that the greatest mind, at least in my era of following college sports, would see fit to allow a young Member like me to partner with him to do something that in the long run will benefit young people for many, many years to come.

It is difficult to expand on what the gentleman from Nebraska has already said, but this bill gives my generation an opportunity to do something that we have not been able to do. For so long we have been reduced in a lot of ways, and some of us have chosen, to be spectators to conflict involving challenges to our values and freedom.

We are hopeful with our friends on the other side of the aisle and this bill’s companion, S. 1792, which was introduced yesterday by Senators MCCAIN and BAYH, we are hopeful that this legislation would provide new options for military enlistment, enforcement and public health. Additionally, the legislation would provide a new demonstration choice that my colleagues often think about, but a voucher plan providing grants for young people to apply in areas of public service.

We believe the Call to Service Act presents an immeasurable opportunity to seize on those attributes that define us as Americans and make us proud to serve in this country.

Mr. Speaker, I thank my colleague for yielding me this time and both Senators for their support; and I hope that all of our colleagues will see fit to support this important legislation.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Illinois (Mr. DAVIS) is recognized for 5 minutes.

(Mr. DAVIS addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

COMMENDING MAJORITY LEADER DICK ARMEY

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Texas (Mr. DELAY) is recognized for 5 minutes.

Mr. DELAY. Mr. Speaker, I want to take a few minutes to talk about a real stalwart in this House, and to thank the gentleman from Texas (Mr. ARMEY) for his hard work and to remind our Members about what his leadership and effectiveness have meant to the success of our majority.

When Dick Armey first got to Washington, they said his ideas were out of step. He kept up the fight. But Dick Armey gave us a new hope. He knew that if Republicans clearly understood the welfare system was broken, and millions of Americans are now earning paychecks and have greater self-worth because they have entered the workplace. He took on a tough job of realigning our military base structure and our Armed Forces are more effective today because their bases better support their new mission.

Dick Armey said repeatedly that punishing success was not part of the American dream. And he helped Presidents Reagan and Bush pass pro-growth tax cuts that raised our economic security. Many Americans now understand that a rising economic tide lifts all boats because Dick Armey explained it to them.

He reminded us that God is a part of all of our lives and millions of people now question why God has been driven out of our national lives. He fought laws that would have weakened our Constitution, and America remains the freest and most secure country in the world. He said that red tape and unneeded regulations were stifling growth and shortchanging job creation and now, despite the blow from September 11, our American economy is the freest and most productive in the world.

He knew that if Republicans clearly explained our goals as the majority party, we would earn broad support from the American people, and the Call to Service Act would build the first Republican majority in four decades.

He arrives and departs Washington as fundamentally the same man that stood next to me to take his oath of office in 1985, but the Washington he will leave behind in 2003 is very, very different place. He is just an ordinary man with extraordinary ideas that helped change America.

Since Republicans earned our House majority, the Federal Government has grown leaner, more efficient and more responsive to individual citizens. These changes happened because people like Dick Armey knew we could expect more from our government and they insisted that we do better. Our Republican majority has accomplished great things together, and our Nation is stronger, freer, and enjoys the highest living standards in the world.

Several broad principles guided our efforts: We believed that freedom is not free. We worked to ensure that our Armed Forces and the agencies protecting America had all the tools necessary to defend our country. We believed that government answers to the people. We worked to make the Federal Government more responsive, more efficient and more effective in performing its work. We believed that families are entitled to keep more of what they earn. We worked to correct the tax and regulatory policies that had stifled our economy. We created the tax cuts that raised our economic security. They left us a great country that we can build upon our gift from previous generations.

Mr. Speaker, let me say to Dick Armey, thank you, Dick, very much, for everything you have done to keep America strong and free. You can be truly proud of what the House has achieved under your leadership. There is no doubt that we will continue improving our Nation over the course of your final year. We must treasure and build upon our gift from previous generations. They left us a great country with a big heart, broad shoulders and the courage to chase hundreds of millions of dreams.

Today, the beacon of freedom is burning brightly. We need to stoke the flame, lift the lantern higher and lead freedom-loving people onward to a better and more fulfilling life.

I want to extend Dick Armey my deep thanks for everything he has done to make that happen. Finally, Mr. Speaker, let me offer a special thank you to Susan Armey for allowing America to borrow her husband all these years. Our country is a better
INTERNATIONAL CONTRIBUTIONS TO THE WAR ON TERRORISM

The SPEAKER pro tempore (Mr. OSBORNE). Under a previous order of the House, the gentleman from Missouri (Mr. SKELTON) is recognized for 5 minutes.

Mr. SKELTON. Mr. Speaker, in the aftermath of the devastating attacks on New York and Washington on September 11, the United States has taken a range of swift and decisive actions to bring the terrorists responsible to justice and to ensure that sponsors of terrorism are uprooted. Our military has helped drive the Taliban from power in most of Afghanistan and has tightened the noose on Osama bin Laden and his compatriots. We have seized terrorist assets around the world, putting those who would help terrorists on notice.

In our military, diplomatic and financial efforts, the United States has received unprecedented support from the international community. Many countries around the world have converted their sympathy into real acts of solidarity. Our battle against terrorism is a global fight. Success requires sustaining a broad coalition of diplomatic and military partners over the long term.

Recently, the State and Defense Departments provided me with a list of 29 countries plus the European Union who have contributed to our current counterterrorist efforts. While each country is helping in specific ways, they all are making a difference in our ability to thwart the global threat posed by terrorist groups like al Qaeda.

Our allies in Europe are among our most committed partners. NATO took the unprecedented step of invoking article 5 of its charter, considering the attacks on the United States as attacks on the alliance as a whole. The European Union has offered broad diplomatic support and nations throughout Europe, from France and Germany to Poland, have offered military and domestic counterterrorism units. Unique among these loyal European partners is Great Britain who has stood with us diplomatically and fought alongside us in Afghanistan. The depth of this special friendship is one for which we should be profoundly grateful.

Beyond our European partners, our allies in Asia—Korea, Japan, Australia and New Zealand—have all provided combat or support forces for this fight. Our relationships with Russia and with India have improved greatly because of our common struggle against terrorism and their continued efforts to support us.

Finally, I would like to note the remarkable actions of Muslim countries in this global struggle. So many are our friends and recognize that the war against terrorism is not a war against Islam. Pakistan has been crucial to our efforts in Afghanistan and has demonstrated great courage in helping lead the struggle against radical terrorism. Our NATO partner, Turkey, has provided special operations troops and has helped put down the Islamic fundamentalists in the West and other Muslim nations. States in the Gulf and throughout Central Asia have also chosen to stand with the global community, seizing terrorist assets, providing public support for our military efforts and fighting critical overflight and basing rights.

As President Bush has said many times, this war will be a long and multifaceted one. To succeed, we will need the continued strength and commitment of the American people, but we will also need the ongoing support of our friends around the world. It is in the global interest to end terrorist activity and it will take global efforts to achieve this goal.

EXPRESSING THANKS TO JOAN BATES KORICH ON THE ANNOUNCEMENT OF HER RETIREMENT

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from California (Mr. ROYCE) is recognized for 5 minutes.

Mr. ROYCE. Mr. Speaker, as Members of Congress, we all receive numerous congratulatory letters in our mailboxes. But I think having someone named after you is truly a special honor. There is a young boy named Eric Royce Bates out in California. What makes it so special is that his grandmother is my chief of staff, Joan Bates Korich, who has announced her retirement. Joni has worked for me for 19 years, starting in the California State Senate in 1982. I came to Sacramento as a young State Senator at the age of 31. I knew what I believed, but I knew what I wanted to do. What I did not know was how to go about accomplishing those goals.

That is where Joni came in. She helped me learn how to turn ideas into accomplishments. She taught me that friendships can transcend politics and that just because you may disagree with someone, that does not make them your enemy. She is the ultimate professional who takes her work seriously but never loses her sense of humor and common sense.

Thanks to Joni’s leadership, our office is known for civility and professionalism. Our constituents in California have benefited tremendously from the unique care and interest she has demonstrated over the years. She has always been there, and she always will be there.

In our military, diplomatic and financial efforts, the United States has received unprecedented support from the international community. Many countries around the world have converted their sympathy into real acts of solidarity. Our battle against terrorism is a global fight. Success requires sustaining a broad coalition of diplomatic and military partners over the long term.

Recently, the State and Defense Departments provided me with a list of 29 countries plus the European Union who have contributed to our current counterterrorist efforts. While each country is helping in specific ways, they all are making a difference in our ability to thwart the global threat posed by terrorist groups like al Qaeda.

Our allies in Europe are among our most committed partners. NATO took the unprecedented step of invoking article 5 of its charter, considering the attacks on the United States as attacks on the alliance as a whole. The European Union has offered broad diplomatic support and nations throughout Europe, from France and Germany to Poland, have offered military and domestic counterterrorism units. Unique among these loyal European partners is Great Britain who has stood with us diplomatically and fought alongside us in Afghanistan. The depth of this special friendship is one for which we should be profoundly grateful.

Beyond our European partners, our allies in Asia—Korea, Japan, Australia and New Zealand—have all provided combat or support forces for this fight. Our relationships with Russia and with India have improved greatly because of our common struggle against terrorism and their continued efforts to support us.

Finally, I would like to note the remarkable actions of Muslim countries in this global struggle. So many are our friends and recognize that the war against terrorism is not a war against Islam. Pakistan has been crucial to our efforts in Afghanistan and has demonstrated great courage in helping lead the struggle against radical terrorism. Our NATO partner, Turkey, has provided special operations troops and has helped put down the Islamic fundamentalists in the West and other Muslim nations. States in the Gulf and throughout Central Asia have also chosen to stand with the global community, seizing terrorist assets, providing public support for our military efforts and fighting critical overflight and basing rights.

As President Bush has said many times, this war will be a long and multifaceted one. To succeed, we will need the continued strength and commitment of the American people, but we will also need the ongoing support of our friends around the world. It is in the global interest to end terrorist activity and it will take global efforts to achieve this goal.

EXPRESSING THANKS TO JOAN BATES KORICH ON THE ANNOUNCEMENT OF HER RETIREMENT

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from California (Mr. ROYCE) is recognized for 5 minutes.

Mr. ROYCE. Mr. Speaker, as Members of Congress, we all receive numerous congratulatory letters in our mailboxes. But I think having someone named after you is truly a special honor. There is a young boy named Eric Royce Bates out in California. What makes it so special is that his grandmother is my chief of staff, Joan Bates Korich, who has announced her retirement. Joni has worked for me for 19 years, starting in the California State Senate in 1982. I came to Sacramento as a young State Senator at the age of 31. I knew what I believed, but I knew what I wanted to do. What I did not know was how to go about accomplishing those goals.

That is where Joni came in. She helped me learn how to turn ideas into accomplishments. She taught me that friendships can transcend politics and that just because you may disagree with someone, that does not make them your enemy. She is the ultimate professional who takes her work seriously but never loses her sense of humor and common sense.

Thanks to Joni’s leadership, our office is known for civility and professionalism. Our constituents in California have benefited tremendously from the unique care and interest she has demonstrated over the years. She has always been there, and she always will be there.

In our military, diplomatic and financial efforts, the United States has received unprecedented support from the international community. Many countries around the world have converted their sympathy into real acts of solidarity. Our battle against terrorism is a global fight. Success requires sustaining a broad coalition of diplomatic and military partners over the long term.

Recently, the State and Defense Departments provided me with a list of 29 countries plus the European Union who have contributed to our current counterterrorist efforts. While each country is helping in specific ways, they all are making a difference in our ability to thwart the global threat posed by terrorist groups like al Qaeda.

Our allies in Europe are among our most committed partners. NATO took the unprecedented step of invoking article 5 of its charter, considering the attacks on the United States as attacks on the alliance as a whole. The European Union has offered broad diplomatic support and nations throughout Europe, from France and Germany to Poland, have offered military and domestic counterterrorism units. Unique among these loyal European partners is Great Britain who has stood with us diplomatically and fought alongside us in Afghanistan. The depth of this special friendship is one for which we should be profoundly grateful.

Beyond our European partners, our allies in Asia—Korea, Japan, Australia and New Zealand—have all provided combat or support forces for this fight. Our relationships with Russia and with India have improved greatly because of our common struggle against terrorism and their continued efforts to support us.

Finally, I would like to note the remarkable actions of Muslim countries in this global struggle. So many are our friends and recognize that the war against terrorism is not a war against Islam. Pakistan has been crucial to our efforts in Afghanistan and has demonstrated great courage in helping lead the struggle against radical terrorism. Our NATO partner, Turkey, has provided special operations troops and has helped put down the Islamic fundamentalists in the West and other Muslim nations. States in the Gulf and throughout Central Asia have also chosen to stand with the global community, seizing terrorist assets, providing public support for our military efforts and fighting critical overflight and basing rights.

As President Bush has said many times, this war will be a long and multifaceted one. To succeed, we will need the continued strength and commitment of the American people, but we will also need the ongoing support of our friends around the world. It is in the global interest to end terrorist activity and it will take global efforts to achieve this goal.
Yes, Mr. Speaker, I am going to miss Dick Armey when he leaves. I am going to miss my friend. Thank you, Dick, for carrying on the banner, for accomplishing so much, making life in America better for me and for my children.

God bless you and God bless America.

TEACHER CERTIFICATION

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Tennessee (Mr. Duncan) is recognized for 5 minutes.

Mr. Duncan. Mr. Speaker, I rise tonight because occasionally I still read articles or hear news reports about a teacher shortage in this Nation. This is a government-induced, contrived or special interest produced shortage, because this is a problem that could be solved very simply and very quickly if we would do a few simple things.

Many, many years ago, I taught American government and journalism at T.C. Williams High School in Alexandria, Virginia, the school that the famous movie ‘Remember the Titans’ was made about. I have had many, many people in my family. My grandmother taught for 40 years. My older sister taught for 30 years. Nobody admires teachers, I suppose, more than I do. But I think some of the certification requirements are warped, are out of whack. It makes no sense, for instance, by people who have Ph.D.s or master’s degrees and long experience and great success in a particular field cannot teach in most of the public schools of this Nation.

What spurred me to speak here tonight was an article that was in yesterday’s Washington Post entitled “Down to Basics on Teacher Certification.” This article says:

‘University of Virginia Professor Frederick M. Hess says states should dump their current teacher certification requirements and instead ask prospective educators three simple questions:

1. Do you have a college degree?
2. Can you pass a test in your subject area?
3. Can you pass a criminal background check?

If the answers are yes, yes and yes, you could apply for any teaching job in the state.

To one who are picturing a crime-free yet clueless misfit at the front of their child’s class, Hess says: Give school principals some credit. Allowing someone to apply for a job is not the same as guaranteeing them employment, he wrote in a recent paper for the Progressive Policy Institute.

Currently, each state sets its own complex guidelines for certification. They require a degree from an education program. The problem is that nobody agrees on what these programs should be. Frederick M. Hess writes, in ‘’‘Tear Down This Wall,” the case for a radical overhaul for teacher certification.’’

That is what we need, Mr. Speaker, a radical overhaul of teacher certification. It makes no sense, if, say, a Ph.D. chemist who works at Oak Ridge in East Tennessee and who has spent, say, 30 years in that field and decides he would like to teach for a few years, he cannot be hired; some 22-year-old recent college graduate who has a bachelor’s degree in chemistry, because that young person took a few education courses, and this Ph.D.-experienced chemist did not. It makes no sense.

Mr. Speaker, that a person who has a Ph.D. in political science cannot go teach American government in most of the high schools, public high schools, in this country. Or you could name any other field.

Let us say that we know that many private small colleges are struggling financially. Some of them close. Some of them cannot pay as well as the public school systems in this country. So let us say a person who has a Ph.D. in English and has taught 25 years at some small college wants to go teach in a public school. They should be able to.

The school systems of this Nation, the school boards, should be allowed to say a degree in education is a plus and a factor in favor of someone being hired; but they should have the flexibility to hire somebody who has great experience in a field and has maybe even advanced degrees in a particular field.

The answer is not to disregard or excluded from even being considered for teaching positions in this country just because they did not take an education course when they were in college.

So I appeal to the Committee on Education and the Workforce members here and at the various State levels across this Nation to give our school boards and school systems more freedom and flexibility in whom they can hire. I believe that we will get much more qualified teachers and wipe out this contrived, government-induced, pressure group-produced teacher shortage in this Nation.

NATIONAL AVIATION CAPACITY EXPANSION ACT

The SPEAKER pro tempore (Mr. Osborne). Under a previous order of the House, the gentleman from Illinois (Mr. Lipinski) is recognized for 5 minutes.

Mr. Lipinski. Mr. Speaker, I rise tonight to introduce the National Aviation Capacity Expansion Act. This measure will codify into Federal law a historic agreement reached between Illinois Governor George Ryan and Chicago’s Mayor Richard Daley that would benefit not only the Chicago area, but the entire Nation.

This agreement and legislation will modernize O’Hare International Airport by constructing new runways and reconfiguring old intersecting runways. It will also address automobile traffic congestion near O’Hare that will include western airport access, and it will maintain the quality of life for residents near O’Hare by committing $450 million in funds for soundproofing.

In addition, this agreement will construct a new suburban airport near Peotone and continue the operation of Meigs Field on Chicago’s lakefront.

Because O’Hare is the epicenter of the Nation’s aviation community, this agreement is great news for airline passengers across the Nation. O’Hare is one of the world’s largest airports and is the only dual-hub airport in the Nation, as both United and American Airlines base a significant amount of their employees, equipment and activities at O’Hare.

O’Hare serves more than 190,000 travelers per day, with 2,700 daily flights. Communities big and small are served by O’Hare. Forty-Eight States in this union have direct access to O’Hare International Airport. There is no other airport in the nation badly in need of an upgrade to meet the demands of the 21st century because the airport design was developed in the 1950s. By replacing old runways with a safe and more modern design, weather delays and cancellations will be greatly diminished, eliminating delays that often make the rest of the Nation shudder.

In addition, my bill ensures that O’Hare modernization will be paid for primarily through airline and airport sources, including the facility charge, landing fees, concessions and bonds. Contrary to what few opponents of this measure say, this bill does not put the Federal Government on the hook for the cost of this project.

This bill also moves ahead with a southern suburban airport near Peotone, Illinois. While some of those few opponents argue that expanding and reconfiguring O’Hare will put a stop to the State of Illinois’ plans to build an airport at Peotone, nothing could be further from the truth. As the Chicago Sun Times wrote yesterday in their lead editorial: ‘The road to an airport in Peotone runs through a revitalized O’Hare. The two are linked. Demand for air travel is a key ingredient of the economic vitality of Chicago, our region and the country. A crowded, overwhelmed O’Hare, delays air traffic nationwide, and costs uncalculated billions every year. Another 2 decades of a decaying O’Hare, and a lot of people won’t want to fly into Peotone or anywhere else.’

I applaud Governor Ryan and Mayor Daley for their courage, tenacity and resolve that made sure that this agreement was done, so as the passenger demand to become reality in the long run, we must codify it so that no future Governor may rescind the agreement, and that is what my legislation will do.

I urge all of my colleagues to join me in support of this legislation that will do more than any other measure in Congress to meet the aviation demands of the 21st century.
The SPEAKER pro tempore. Under a previous order of the House, the gentleman from New York (Mr. ENGEL) is recognized for 5 minutes.

(Mr. ENGEL addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Ohio (Mr. BOEHNER) is recognized for 5 minutes.

(Mr. BOEHNER addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

HONORING THE UNIVERSITY OF WISCONSIN-STOUT

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Wisconsin (Mr. KIND) is recognized for 5 minutes.

Mr. KIND. Mr. Speaker, last week President Bush and Commerce Secretary Don Evans announced the recipients of the Malcolm Baldrige Award, our Nation’s highest honor in quality and performance excellence, named after the late Secretary of Commerce. It is my pleasure to join them in congratulating the University of Wisconsin-Stout for becoming the first university ever to receive the award. I would also like to commend my good friend Chuck Sorenson, the chairman at Stout, and the entire faculty and staff there for their hard work and dedication in helping make UW-Stout the extraordinary institution it is today.

In 1987, Congress established the Malcolm Baldrige National Quality Award to enhance the competitiveness of U.S. businesses. The award promotes quality awareness, recognizes the quality and performance achievements of U.S. organizations, and publicizes successful performance strategies.

It is given to U.S. organizations that have exemplary achievements in seven areas: leadership, strategic planning, customer and market focus, information and analysis, human resource focus, process management, and business results. All applicants for the Baldrige Award undergo a rigorous examination process that requires nearly 1,000 hours of outside review. Teams of examiners visit the finalists to clarify questions and verify information; and finally, an independent board of examiners reviews all applications and produces a report citing strengths and opportunities for improvement.

I am pleased that UW-Stout has received such a prestigious award. Many of us in western Wisconsin have long known the outstanding work done by the students, the faculty and the staff at UW-Stout that have made it an exceptional institution of higher education. UW-Stout is an outstanding role model for the 21st century education organizations, and it will now gain the national recognition their efforts deserve.

UW-Stout Stout is one of 13 publicly supported universities in the University of Wisconsin system. It has approximately 1,200 faculty and staff and about 7,700 students. UW-Stout offers 27 undergraduate and 16 graduate degrees. In addition to undergraduate and graduate degree programs, there are a variety of outreach programs and services to business, industry and society, and provides a full range of support services to students.

In addition, UW-Stout’s “mission driven-market smart” focus is characterized by an array of programs leading to professional careers, primarily in industry and education. It has maintained graduation replacement rates at or above 98 percent since 1996, and employers have consistently rated 99 to 100 percent of its graduates as prepared to work.

Although the Malcolm Baldrige Award is a tremendous achievement for UW-Stout, it is not the first award that the University has received. UW-Stout has received multiple awards for innovative programs and partnerships. In April 2001, UW-Stout received the national recognition from Newsweek as one of 34 schools cited as a hidden treasure.

Some of the other awards include the 1995 Governor’s Glass Ceiling Award; the 1999 Outstanding Award for Technology Transfer from the National Association of Management and Technical Assistance Centers; and the 1998 American Association of University Women Equity Initiative Award Winner.

Further, UW-Stout has excelled in applying technology to instruction. Technology, when used effectively, can stimulate learning, enrich lives and create greater opportunity for the future of UW-Stout’s students.

Beginning in the fall of 2002, toting laptops to class will soon be as common as carrying books. UW-Stout is the first university in Wisconsin to launch an initiative that will place a laptop in the hands of every incoming freshman.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Texas (Mr. BRADY) is recognized for 5 minutes.

(Mr. BRADY addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

FEDERAL ECONOMIC STIMULUS PROPOSALS

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Texas (Mr. RODRIGUEZ) is recognized for 5 minutes.

Mr. RODRIGUEZ. Mr. Speaker, the Federal Government recently announced what we already knew, that the economy has been in recession since last March. According to the Labor Department, from September to October, the unemployment rate jumped from 4.9 percent to 5.4 percent, the largest 1-month jump since February of 1988. There are now 7.7 million unemployed Americans across this country, an increase of over 1,650,000 since March. The terrorist attack of September 11 only hastened the economic downturn and highlighted the need for a Federal response to stimulate the national economy.

Congress, as we all know, is locked in the debate about how best to quickly revive the U.S. and global economy. We need a response that is tailored to meet the problem, one that puts money in the hands of consumers, one that stimulates job creation, one that helps those most immediately hurt by job losses.

Following the terrorist attack on September 11, the House and Senate budget committees issued a set of principles for the economic stimulus package. These principles stated that any stimulus measure should, first, be limited in duration; secondly, that it not cause the Federal Government to have an on-budget deficit; thirdly, that it not result in high, long-term interest rates; fourthly, that it be approximately $100 billion in size; and, finally, that the cost should be fully offset in the future to ensure maximum repayment of our $5.8 trillion Federal debt. I repeat that, that the cost be fully offset in the future to ensure maximum repayment of that debt. And that is an important point, that we have to make sure that we pay for what we expend.

Sadly, the House of Representatives’ leadership passed a bill that is described as an emergency stimulus package which ignored each of those principles. The misnamed Economic Security and Recovery Act, which basically only stimulated the corporations, provides little true economic stimulus to lessen America’s recession. It is no surprise that the U.S. Treasury of $274 billion over the next 10 years. Some 58 percent, or $161 billion, of this total would come from our Social Security and Medicare trust funds. It is coming at the backs of our senior citizens and their pensions.

In the long run, the bill is likely to increase the long-term interest rates,
which would raise home mortgage rates and, thereby, threaten the long-
term growth of the economy. The fiscal discipline of the last 8 years that pro-
duced the largest budget surpluses in decades would be wiped out by this leg-
islation, especially when combined with a $2 trillion tax reduction bill passed earlier by this Congress.

The bill includes long-term tax bene-
fits for the wealthiest 2 percent of our taxpayors, $24 billion in retroactive tax relief for the largest corporations in America; accelerating the reduction in the top individual tax brackets affecting those persons making more than $297,000 per year, and provided $21 bil-
lion in tax benefits to U.S. corporate profits made outside the U.S. as long as the money is kept outside this country.

A scant 11 percent of the overall ben-
efits of the bill would benefit those that are unemployed due to the down-
turn of the economy. That is 11 cents out of every dollar would only go for those that are in need.

The irresponsible failure to offset the cost of those tax cuts will leave us with future budget deficits and upward pres-
Sure on long-term interest rates. I would repeat that this bill would come and create additional deficits for our country.

Finally, the passage of this bill, and as we look at a bill, we have to make sure that it helps those that are in need and that it looks at stimulating the economy. It should follow the bal-
canced alternatives that would quickly put money in the hands of people who
have been hurt by the economic downturn and most likely to spend it and stimulate the economy. September 11
not only hurt New York, but it hurt every-
one. It hurt those people on the bor-
ders that are having to wait. I ask that
we really take into consideration and that we seriously look at what we are doing and that we vote for an appro-
riate piece of legislation.

The SPEAKER pro tempore (Mr. OSBORNE). Under a previous order of the House, the gentleman from Oklahoma (Mr. WATTS) is recognized for 5 min-
utes.

(Mr. WATTS of Oklahoma addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

BREATHTAKING LIFE INTO HUMANI-
TARIAN LEGISLATION FOR AF-
GHANISTAN

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Texas (Ms. JACKSON-LEE) is recognized for 5 minutes.

Ms. JACKSON-LEE of Texas. Mr. Speaker, today the President of the United States signed legislation to as-
sist the starving Afghan women and children. (Mr. Speaker, the gentle-
woman from Texas (Ms. JACKSON-LEE) is recognized to address the need to include Afghan women in the political
and governmental structure of a new Afghan

I would simply say that the signing of the legislation and the work that was done by the women of this House and the Senate, many women in the Democratic Caucus who began many, many years ago, about the plight of the women in Afghanistan, is something that we all can be proud of. I salute the signing of this legislation.

Right now, there are 1 million people from the Afghanistan nation on the river of Afghanistan and Pakistan. These individuals are suffering of the inclement weather and the very
cold season. In refugee camps, 175 peo-
ple have already died, and most of those are children.

It is important as we sign legislation, Mr. Speaker, that we utilize part of the
$40 billion to act on the legislation. The people in Afghanistan need food, they need clothing, they need the ability
to be resettled, they need housing that will be warm. In order to make this legislation a living, breathing doc-
ument, I call upon the President of the United States to expend some of those dollars to utilize them immediately to help the starving children and the plight of the border that exists between Afghanistan and Pakistan.

It is enormously important that as we fight to rid ourselves and the world of terrorism, that America emphasizes
and reemphasizes its humanitarian ap-
proach and its view that there is a need
to protect families, women, and chil-
dren.

Mr. Speaker, just a few weeks ago I
passed a resolution, H. Con. Res. 228, and that resolution was to emphasize that those children who lost parents or
a guardian on September 11 should re-
ceive Federal benefits or any benefits with the highest priority. We know of
the horrific tragedy of September 11,
the divide that it caused in families and that it caused in families in the United States, and I believe it is ex-
tremely important to emphasize the need to provide resources for those children. But equally so, as we have
made a commitment to helping re-
structure the nation of Afghanistan,
meaning to provide the opportunity for that government to build itself in a peaceful manner, we have also com-
mitted to making sure that women will be
included in the rebuilding of that nation and in the governmental struc-
ture. We understand that under the
burden of the burqa was the imprison-
ment of the spirit and of people’s freedoms.

Now women are able to take off those uniforms. Now we need them to be fully involved in the structuring of
government so that women’s interests and children’s interests can be empha-
sized.

Next week I intend to hold a briefing
on the plight of children in Afghanistan and the hunger that they face, the
devastation that they face, the fact
that children have to go to work at 7
and 8 year olds to provide for their
families making bricks. We must find a
way to involve ourselves in the aspects of giving Afghanistan and the people
of Afghanistan a future and a sense of
hope. Particularly, we must find a way to involve ourselves in the lives of those children so that they will become freedom-lovers, lovers of stability and
people who are not only in love with
their own faith and recognizing that their
father, the Islamic faith, is one of love and peace.

We must do that now, Mr. Speaker.
We must ensure that the resources are there. We must have to act on legis-
lation that was signed today. We must
address the question of 1 million refu-
gees. We must find a way to stop chil-
dren from dying in refugee camps. We
must find a way as well to help rebuil
this nation in a way that it stands
alongside of the rest of the world fam-
ily as a freedom-loving place, a place
of peace, and a place where all can raise
their children in harmony and with op-
portunity.

SERVICE WITH DISTINCTION

The SPEAKER pro tempore. Under a previous order of the House, the gen-
tleman from Texas (Mr. SESSIONS) is recognized for 5 minutes.

Mr. SESSIONS. Mr. Speaker, today was a day that our majority leader, the
gentleman from Texas (Mr. ARMEY), announced that he would not be seek-
ing reelection in the 26th district of Texas. This was his hometown, and
Texas and the county of Denton.

Mr. Speaker, Majority Leader ARMY,
upon making this announcement, gath-
ered his family together and spoke
with his family about his hopes and
dreams of a new life that he wishes to
have outside of the Congress. He spent
16 years in this body. This body re-
spects DICK ARMEY. This body loves
DICK ARMEY. This body also under-
stands that DICK ARMEY is a man who
brought high energy, ideals, high ideals
and ideas that have moved this coun-
try, that have been a part of the polit-
ical debate of this country.

I, as one Member, was asked to run
for Congress by DICK ARMEY, and he
described it to me as a place that would
be not only an honorable place and a
place where ideas would be talked about and discussed, but also a body
upon which was an institution, the in-
stitution of the Congress of the United
States. DICK ARMEY is one of the few
people who have been to the very top
who, upon their own choosing, has de-
cided to leave. He served this body with
honor and distinction, and he looks for-
ward to those times that he will spend
with his family.

But today was a special time, for he
had his beautiful wife, Susan, and his
family gather with him in this body as
he described it to me as a place that would
be not only an honorable place and a
place where ideas would be talked about and discussed, but also a body
upon which was an institution, the in-
stitution of the Congress of the United
States. DICK ARMEY is one of the few
people who have been to the very top
who, upon their own choosing, has de-
cided to leave. He served this body with
honor and distinction, and he looks for-
ward to those times that he will spend
with his family.
Mr. Speaker, I will miss DICK ARMEY. Mr. ARMEY feels like that he goes out in a career, a profession, that he is the one that led the battle, the one that fought for. It is DICK ARMEY who led the battle. It is DICK ARMEY who had the ideas, who shaped not only the things that made a difference in the Contract With America, but it is DICK ARMEY who made sure that they passed on the floor of this House of Representatives. Mr. Speaker, DICK ARMEY has served with honor and distinction, not only the people of the 26th district of Texas, but also the people of this country. He was also our elected representative, the major of the Republican Party. He will be sorely missed. Dick has been a good friend of mine, a mentor, and provided me not only with wise counsel, but also talked about how this institution must survive because it is in the best interests of this country.

So on this happy day, there is sadness in my heart, yet I know that DICK ARMEY feels like that he goes out in a way that he chose best, a way where he had a chance this body, where he had a chance to give his very best, and yet he knows that his greatest days will be those times that he will have back in his own backyard with his grandchildren enjoying himself with his beautiful wife, Susan, and praying for this country. For we, too, will continue without him, but we too recognize that the opportunity to take those ideas that DICK matured for every one of us, in fact, will make our country better.

Mr. Speaker, I will miss DICK ARMEY. We will have one more year to work with him. But I want the people of this country to know that the time that is spent in Washington, D.C. can be done by honorable and great people and DICK ARMEY is simply one of those gentlemen.

MAKING IN ORDER AT ANY TIME CONSIDERATION OF HOUSE JOINT RESOLUTION 78, FURTHER CONTINUING APPROPRIATIONS, FISCAL YEAR 2002

Mr. YOUNG of Florida. Mr. Speaker, I ask unanimous consent that it shall be in order at any time without intervention of any point of order to consider in the House the joint resolution (H.J. Res. 78) making further continuing appropriations for the fiscal year 2002 and for other purposes; the joint resolution shall be debatable for one hour, equally divided and controlled by the chairman and ranking minority member of the Committee on Appropriations; and the previous question shall be considered as ordered on the joint resolution to final passage without intervention of motion except one motion to recommit.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Florida? There was no objection.

BASE CLOSURES HARM AMERICA

The SPEAKER pro-tempore (Mr. OSBORNE). Under a previous order of the House, the gentleman from Mississippi (Mr. TAYLOR) is recognized for 5 minutes.

Mr. TAYLOR of Mississippi. Mr. Speaker, in all probability, tomorrow the defense authorization bill for the year 2002 will come to the House floor. There's a rumor, it probably will not be remembered for what it does done for military procurement, because it does not do much. It buys only six ships for the fleet, which is actually one ship less than the Clinton administration asked for. It does almost nothing to address the aging of the military air fleet. It does not do a whole lot as far as replacing aging weapons systems.

But what it will be remembered for, if it passes, is the defense authorization bill that comes to the floor tomorrow includes base closure. Having been a Member of the House for three rounds of base closure, I am going to oppose that and offer a motion to recommit, because I truly believe in my heart and in my mind that base closure is bad for America.

First, I think it hurts our Nation's ability to defend itself. I think it is bad for those people who have served our country, I think it is bad for those people who are serving our country, and I think it is bad for those people who will serve our country.

On behalf of those who have served, a little-known fact is that about half of our Nation's military retirees have chosen to retire near a military installation. They do so so that in their golden years they can use those base hospitals and they can use the base commissary.

In effect, when we took them away from their families and sent them all around the world to defend us, we took one family away from them but gave them another. The new family is called the Air Force, the Coast Guard, the Marine Corps, the Army. When we close the base, we have taken the family away from them.

They have purchased a house that is automatically reduced in value by the closure of that base. They are up in age, they do not want to up and move again, so in effect we have taken away their family doctor, the family grocery store, and once again, added to the list of things where they say we have broken promises to the American people.

I think it is bad for the present. Right now, all across America there are people working today, tonight, early into the morning, working overtime to take care to do those things that need to be done so our troops in the field in Afghanistan and all around the world are taken care of.

With the passage of this bill, they will immediately begin to wonder whether not on November 2 or November 5 or if that base will be open and if they are going to have a job. So instead of being rewarded for doing a good job for our Nation, they will immediately begin to worry about their future, and in all probability start looking for another job.

I think it is bad because when I asked my Senate colleagues, the other body, if they could name one single weapons system that has been purchased with savings from the previous three rounds of base closure, they cannot name one, because there is no savings. See, the myth of base closure is that we somehow save money because we close the base, we save a little bit on salaries. However, we are going to turn around and sell the property.

The part that was never explained to this Congress, but I will explain, is that the Nation has to live by the same laws as any other individual. Therefore, those laws that require properties to be cleaned up before they can be sold or given away apply to this Nation. Today, our Nation has spent over $13 billion cleaning up bases that were in too far even to local authorities because they could not find anything to do with them. They had suffered devastating effects to their local economy.

I think it is bad for the future, because once again we are breaking bonds between local communities and military installations. As we see a shrinking force, we also see a shrinking number of bases and a shrinking number of citizens who appreciate on a day-to-day basis what those bases do for us.

The young soldiers, young airmen, young Marines, young Coast Guardsmen, the young folks who participate...
in the Special Olympics, in the Toys for Tots, who get involved in the Boys and Girls Clubs, they are gone. They are no longer part of the community. They are shipped off, and once again the military becomes somebody else’s constituent, somebody else’s neighbor.

It is bad enough when we lose that property, we never get it back, particularly our bases that are in waterfront communities, once that property is disposed of, should there be another national crisis. And let me tell the Members, there will be another national crisis.

I have been in Congress for 12 years.

I no sooner got here than the Berlin Wall came down and 3 months later American forces were in Panama. Less than a year later they were in Saudi Arabia and Kuwait. Since then they have gone to Bosnia, Kosovo. Right now, they are in Afghanistan. Who knows, given the open-ended use of force resolution that this Congress has passed, what’s next.

I think it is a horrible message that we are going to tell those people who defend us that their military housing is at risk because we could very well close down the base that houses them.

Mr. SPEAKER pro tempore. Under a previous order, Mr. House, the gentlewoman from North Carolina (Mrs. CLAYTON), for helping me to introduce this resolution. I would hope my colleagues would give serious thought to this. Not one Member of the House has voted to close bases. The other body only passed it by three votes.

I think it would be insane of the House of Representatives to allow this bad policy to become law tomorrow.

AMERICA CANNOT AFFORD TO IGNORE THE PLIGHT OF AFRICAN AMERICAN FARMERS

Mr. SPEAKER pro tempore. Under a previous order, Mr. House, the gentlewoman from North Carolina (Mrs. CLAYTON) is recognized for 5 minutes.

Mrs. CLAYTON. Mr. Speaker, as I often have spoken to this body about the plight of black farmers, again I rise today to speak about the same subject. Their problems and their possibilities transcend region and reach beyond where each of us lives and encompass a wide array of economic opportunities, and include not just black Americans but Hispanics, Asian Americans, Indian Americans, and women.

This issue also affects the disabled. A wheelchair-bound white male in Michigan has felt the sting of unfair, discriminatory practices at the hands of those charged with serving, through the Agriculture Department, all citizens who make farming a way of life.

The plight of black farmers also affects those who reside in urban America. What if the cost of milk was prohibitive for the average person? It is in many parts of the world. What if eggs and bread was not readily available, even for those who could afford them? That is the situation for some on other continents. What if fresh fruit, vegetables, or poultry could not be found on our supermarket shelves? There are supermarket shelves devoid of these products.

I think it would be insane of the House of Representatives to allow this bad policy to become law tomorrow.

Indeed, black farmers have suffered more. More than anything else, Mr. Speaker, the American people have ignored the fact that only 1 percent of the total farmers that now exist are African American; that is 18,816. This Nation cannot afford to ignore the plight of American farmers who happen to be African American.

TAX RELIEF FOR FAMILIES OF SURVIVORS OF SEPTEMBER 11 ATTACKS, ECONOMIC SECURITY, AND HEALTH INSURANCE COVERAGE FOR DISPLACED WORKERS

The SPEAKER pro tempore. Under the Speaker’s announced policy of January 3, 2001, the gentleman from New Jersey (Mr. PALLONE) is recognized for 60 minutes as the designee of the minority leader.

Mr. PALLONE. Mr. Speaker, I would like to discuss a new holiday break, which I think most of the Members of Congress are hoping that there will be some sort of holiday break, what I find, both here in Washington, in this Chamber, as well as back at home, is that while people continue to be concerned about terrorism and also security here at home, they are also increasingly concerned about the economy and the recession that we now face, and the fact that so many workers have lost their jobs, the unemployment rate continues to rise, and that those displaced workers sometimes have a problem, obviously, finding a new job, but also with their health care, their inability to keep their health insurance, as well as the fact that many Americans now face a problem that even if they have health insurance, they find that it costs them more, either because the premium goes up or because they have more copayments.

There is a tremendous amount of concern also, I think, by Americans, by the average American, about retirement security and whether Social Security, for example, or their pension, is going to be there when they retire.

I wanted to start this evening very briefly by talking about an issue that kind of goes together and concerns what happened September 11, and also is an economic security issue.

About one week ago, last Wednesday, in fact, there were about a dozen women who lost their husbands during the September 11 terrorist attack who
boarded a train in my home State of New Jersey, leaving their children behind, and came down to Washington. They did not want to be here. They were visiting with not only members of the New Jersey delegation, as well as our two U.S. Senators, that they also met with the Speaker and they told the gentleman from Missouri (Mr. GEPhardt), the Democratic leader in the House.

When I say that these women did not want to come to Washington, that was obviously true. They said many times that they were concerned about their children at home and about even being here. In fact, I would say that they were really angry over the fact that they had to personally come to the Nation's capital and ask in this case the House Republican leadership to bring up a bill that provides tax relief for their families.

The reason I bring it up tonight, and I have to say, I am going to bring it up every night between now and when we leave, because it is the Republican leadership to step up and because they control the House. And I understand, that it is the Republican leadership that Tuesday has come and gone. They did not want to be here. They were concerned about their children, and they are still waiting.

I have to say, again going back to what I said initially, I know in New Jersey and throughout the country that people continue to be concerned about the tough time, and particularly the women who are having to suffer as a result of these September 11 attacks. They are the survivors, the families, their children. We need to be very cognizant of the needs that are facing them, and particularly not only at the tough time, but the holiday time when they are already suffering from their losses, but then to be economically strapped because of the consequences.

Mr. PALLONE, if I could just reclaim my time. I did not go into the issue in a lot of detail, in part because, I have to be honest, it concerns me so much that it is difficult to talk about. But what has happened to them, and I think if I could bring the public a little bit into this, is that the nonprofits, I guess primarily the Red Cross, basically provided assistance for the victims' families for a 3-month period. That ended essentially December 1. So a lot of people think that the families of these victims are continuing to be helped by nonprofits, and in fact, that is not true. Some of them are in a position where they have a little money, but a lot of them do not.

I yield back to the gentleman.

Mrs. THURMAN. And I would say to the gentleman that that kind of walks into the issue of Social Security. So often we think of Social Security as just being something for those that have reached the age of 62 or 65. But the fact of the matter is we also recognize that Social Security provides essential income also for survivor benefits, and those survivor benefits in this case would be those children who are under the age of 16. They would have these benefits available to them.

Even as of last night, this House debated a resolution that pointed out why keeping Social Security was so important. And in the resolution it said, in the findings, "This Congress finds that: one, Social Security provides essential income security through retirement, disability, and survivor benefits for over 45 million Americans of all ages, without which nearly 50 percent of seniors would live in poverty. Social Security is of particular importance for low earners, especially widows and women caring for children," similar to what the gentleman is talking about, "without which nearly 53 percent of elderly women would live in poverty. And each payday American workers send their hard-earned payroll Social Security and, in return, are promised income protections for themselves and their families upon retirement, disability or death."

In this resolution it says, "and that commitment must be kept." Well, as we go through this resolution there is also a part that says "the sense of Congress," and it says, "The President's commission to strengthen Social Security, recognizing the immense financial commitment of every American worker into the Social Security System, should present in its recommendations innovative ways to protect that commitment without lowering benefits or increasing taxes, and that the President and the Congress should join to develop legislation to strengthen Social Security as soon as possible."

And it goes on to talk about what such legislation would have: "Recognizing obstacles that may be in securing the financial stability at retirement, or in cases of disability or death, and the essential role that the Social Security program plays in providing income security for women."

It also says, "Recognizing the unique needs of minorities and the critical role the Social Security program plays in preventing poverty and providing financial security for them and their families when income is lost due to retirement, disability, or death;" and "It should guarantee current law promised benefits, including their cost-of-living adjustments that fully index for inflation for current and future retirees without increasing taxes."

Like the gentleman from New Jersey, I had great hopes. I thought the commission was a bipartisan commission that was going to come back with some recommendations, or a recommendation, not only on how we keep Social Security solvent but also how we extend it into the future, and we have
heard the magic number of 75 years. I was rather concerned when the commission came back and released this long-awaited report on the privatization of Social Security.

Rather than releasing a consensus document, the commission produced a report on how to lengthen the life of the trust fund, it released a list of three options, with little in the way of details. We just met with the commission and we said, are you going to give us details; how are we going to pay for this; are you going to do what happened in this is that all three of the plans that were presented have what is called a “claw back.”

Now, these plans then are set up so that the retiree does not get the full amount of what they earn on their private accounts. So they get the difference between what their account earned over time and an arbitrary number that the commission has set. That is what is called the “claw back.”

All three of these options also carve private accounts out of Social Security. Here are the options: Option one diverts 2 percent of the payroll taxes into private accounts. This comes at a cost of $1 trillion over the next 10 years. How does this option extend the life of the trust fund? And, by the way, we do not think it does.

The commission also recommended reducing Social Security checks to seniors. But the cuts would not be enough to offset the $1 trillion in cost to the trust fund, so the commission failed to meet their goal of extending the life of the trust fund.

Option two diverts 4 percent of payroll taxes up to a maximum amount of $1,000. How does this get paid for, we asked? It reduces Social Security checks by changing the way payments are calculated for each new generation of retirees.

In making this seemingly small change, the percentage for new retirees will gradually fall over time. Over time this adds up to a dramatic cut in benefits. It would mean a benefit cut of 24 percent for someone retiring in the year 2040. By 2070, the cut would be over 40 percent.

Option three combines a 2.5 percent payroll tax diversion with a 1 percent investment of your total paycheck. This option, we found, was so expensive that numerous cuts in benefits would have been necessary.

The Wall Street Journal put it best when it wrote in its editorial page, “Benefits for all retirees would be changed in so many ways that grandma’s head would spin.”

The option that the President’s commission has put out leaves several questions that we need answers to. What are the costs to the transition to private accounts from the current system? If tax increases are off the table, as the majority of this Congress voted for tax cuts and increased spending would have to be cut to provide additional revenue? What, if any, protections are in place for those who retire during a market slump? How will disability and survivor benefits be affected?

The President’s commission was vague about how their three options would be financed. They mentioned that the revenue would be raised, but nowhere in detail. The $1 trillion has to come from somewhere. How can the President or Congress weigh the pros and cons of making these large changes to the Social Security System without this information?

It is a question. I believe that I think many of us believe, there should be some investment component to Social Security. However, I would say that these are not the way. All three options that the President’s commission put forth include a reduction in benefits, including a reduction in disability benefits. One option has so many cuts in benefits, as I said earlier, the Wall Street Journal said, again, “Grandma’s head would spin.”

The commission’s report leaves too many unanswered questions. No one knows exactly how much these options would cost or where the money would come from to pay for these options. What do we know is this: We know that diverting payroll taxes from Social Security checks each month; diverting as little as 2 percent of payroll taxes to private accounts would cost $1 trillion in just the first 10 years; and we also know that none of these options will keep Social Security solvent over the long haul.

The gentleman from New Jersey and I have been here for a couple of years, we have been involved in this debate, and we care about this debate. The fact that this commission has come back and has left us with three options, has given us no knowledge as to how to pay for them, and leaves us probably with more questions than answers means that this debate will fall upon Congress once again.

I believe that if we were taking these dollars and, instead of diverting them, that we could actually, as we know from past reports, continue to make the Social Security System solvent by putting these dollars in the system that we have today versus trying to come up with another way of funding this or coming up with these privatizations.

We had some very good conversations last year to take some of what we used to have, the surplus, divert it to Social Security, to even actually take some of what we used to have, the surplus, divert it to Social Security, to even actually take some of what we used to have, the surplus, divert it to Social Security.

The gentlemen from Florida (Mrs. THURM) with the stories and the plight of these families and the cost of procedures in this country.

I would invite once I get this videotape for any Member of this Congress to come and sit with me and watch and see what so many of these people are suffering with on everyday life-threatening situations, and that is the inability for them to pay for their medicines.

Mr. Speaker, I know that the gentleman has done a fabulous job on this issue. I enjoy working with the gentleman on the Democratic Health Task Force. I think we have had a very good things. But again, prior to September 11 when everything was done with the tax cuts, nothing is paid for, there is nothing left. Every month we are spending a billion dollars out of dollars that we do not have today that we had before.

Mr. PALLONE, Mr. Speaker, reclaiming my time, the fact of the matter is, and I do not want to make it so partisan and go back to the Clinton Administration, but the fact is during the Clinton years we had finally gotten to a situation where we had a surplus. That had a major positive impact on the economy because it meant that the Federal Government was not borrowing so much. Money was freed up for companies to borrow and build factories and create new jobs. It was an important part of why the economy did so well.

I cannot believe when President Bush came in he started preaching essentially that we had to have huge tax
cuts that went to corporations and the very wealthy. As a consequence of that, we now have a deficit once again. I know that September 11 has aggrava-
ted that, but nonetheless we were there even before September 11.

When we talk about the Social Security system, I was amazed when I was looking at the analysis of this commis-
sion, they are suggesting using unspec-
ified general revenues to restore solvency. In the 1993 bill Clinton was doing exactly that, use the surplus to shore up Social Security. Some actuaries have said if we continued to do that over a number of years, that might have solved the problem itself, and we might not have had to deal anything else. Now they are mentioning that in the report, knowing full well that the surplus is not there any more because of the Bush tax cut. There is some hyp-
ocrisy.

Mrs. THURMAN. Mr. Speaker, one of the things that is missed in this debate is that we watched the Social Security solvency, as well as Medicare, increase by year. Every year we were moving ahead. So at first when we heard about Social Security, it was going to be 2029. All of a sudden we were able to increase the solvency until 2037. The reason for that was be-
cause of a strong economy, people were working and unemployment was low. People were paying into Social Secu-

rity and Medicare. We watched Medi-
care go from something like 2011 when we did the 1993 bill. We took some of those dollars and we transferred them into Medicare. It was kind of like a magic trick. The way we did it was to make sure that we could keep Medicare solvent. We pushed the number out into the future.

So not only is the economy affecting us with the whole issue of whether or not we have any surplus left, but it is also reducing, because unemployment is going up, those dollars that would be going into the system that would be extending these programs. So we are really kind of getting a double wham-
my blow like we cannot do anything without the growth in the economy, it also dwindles the dollars that goes into these programs.

So not only are we talking about what the options are, we have to try to figure out how to extend the solvency from where we are; and the best way to do that is to make the economy grow. There are ways to do that; and if we could sit down in a bipartisan fashion, do a better job across the board it is paid for, we could be going home with a gift to our constituents that helped all Americans and not just a few.

Mr. PALLONE. Mr. Speaker, I agree. I know that the gentlewoman can be very hard hitting, and in some ways she is almost being nice about the Social Security commission. It is not only the hypocrisy in talking about using general revenues that do not exist any more, but also they did not make it clear that any kind of privat-

ization is ultimately going to aggra-
vate the solvency problem.

I know that there are different sug-
gestions here, but there is no way to create these private accounts and take any percentage of the money away from the Social Security trust and in-

vest it and not impact the solvency. They are disguising what they are doing with the three options; but ulti-

mately by privatizing, they are making the solvency situation worse, not bet-

ter.

Maybe we need to be a little harsher about it than we have been, frankly.

Mr. Speaker, I yield to the gentle-

woman.

Mrs. THURMAN. Mr. Speaker, we just got the report. It is 150 pages long. We are going to continue to dissect it and try to figure out if there are some things that we might catch onto. But there is an issue in the report that does concern me, and it is the one that I spoke about earlier called the “claw system” which is horri-

fying because people think they are going to get their Social Security plus this investment. It does not work that way.

That is a really big concern because I think we are giving some false hope that we are going to take this 2 percent and invest it for you and, oh, by the way, you are going to get this, but you are also going to get all of this money that you supposedly made, and it does not work that way.

Mr. PALLONE. Mr. Speaker, I agree. I am going to sound very partisan, but both President Clinton and Vice Presi-
dent Gore were suggesting that there be a privatization of Social Security and put money aside into their own pension

s systems. This is wonderful because people think they are going to get their Social Security plus this investment. It does not work that way.

That is also reducing, because unemployment is going up, those dollars that would be going into the system that would be extending these programs. So we are really kind of getting a double wham-
my blow like we cannot do anything without the growth in the economy, it also dwindles the dollars that goes into these programs.

So not only are we talking about what the options are, we have to try to figure out how to extend the solvency from where we are; and the best way to do that is to make the economy grow. There are ways to do that; and if we could sit down in a bipartisan fashion, do a better job across the board it is paid for, we could be going home with a gift to our constituents that helped all Americans and not just a few.

Mr. PALLONE. Mr. Speaker, I agree. I know that the gentlewoman can be very hard hitting, and in some ways she is almost being nice about the Social Security commission. It is not only the hypocrisy in talking about using general revenues that do not exist any more, but also they did not make it clear that any kind of privat-

ization is ultimately going to aggra-
vate the solvency problem.
elsewhere, and none of the plans balance Social Security without the use of massive transusions of general revenue.

That surplus that they thought we had, and I suppose they must still think that, is not there anymore. So that is another misconception, a misnomer, a misdirection. Hypocrisy. No independent actuarial analysis was released, making it difficult to assess the commission’s claims. What is clear is that each plan would “carve out” private accounts from Social Security, thus they would divert a portion of the trust fund revenues into private accounts.

Let me give you just a couple of things. We will not go into this plan. I am urging all of the Members to read this plan, to synthesize it, to dissect it, because it has several plans and all talk about this “carve-out.” That my dear friend the gentlewoman from Florida just mentioned. I would like to just give information as to why women really need a good Social Security plan. We recognize that women, on the average, live longer, meaner, that they count on Social Security’s weighted benefit structure to ensure that they have an adequate income in retirement. Women are less likely to be covered by an employer-sponsored pension fund. What means that Social Security comprises a larger portion of their total retirement income. Women lose an average of 14 years in earnings because they take time off from the workforce to raise their children or to care for an ailing parent or spouse. When women are in the workforce, they often work in part-time jobs. This means that they have less opportunity to save for retirement. So to even suggest that one would take voluntarily or otherwise from already a very weak type of income that they have, an income that is not conducive to caring for their family adequately, let alone talking about a private savings account.

Since women live 6 to 8 years longer than men do, they must make their retirement savings stretch over longer periods of time. Consequently, women depend considerably upon Social Security’s progressive, lifelong, inflation-indexed benefits. Privatizing Social Security undermines many of the features that benefit American women, retirees and the disabled the most. Privatization would encourage individuals to invest their proceeds in private accounts, especially through the investment funds, while the stock market. Private pension plans require sophisticated knowledge of the stock market. Many women, and even men, lack the skills involved in making investment decisions, decisions that would be vital to their long-term financial future. Particularly, low-income women earn less, live longer and spend less time in the workforce, they will have less to invest in their private pension plan. The result would be that women would have to live on smaller benefits from smaller accounts.

Finally, besides the risks evident in investing in the stock market, there is nothing to prevent individual private pension savings from being eroded by inflation, for heaven’s sake. This is particularly devastating for women who have less money to retire on and the need to make their money last longer. Social Security resolves this problem in several ways. Each year through a cost-of-living adjustment, which is COLAs. This safety net, it appears, will no longer exist, though, under this President’s Social Security plan.

I say to you that the women across this country will now have an opportunity to look closely at this new strengthening Social Security proposal that the President’s commission has come out with, and they too will be rallying in the streets, thinking that what they thought they were going to get, they will not get unless some of us rescue the Social Security plan and put back into the trust fund those types of benefits that one should put back in and should have in terms of strengthening the solvency of Social Security.

Another issue that my friend spoke about is the fact that unemployment and people who are laid off work cannot invest in Social Security. Therefore, a matter, that currently, we will not have that. And so to mention and to even suggest that one can invest voluntarily into a privatized pension or an account is really suggesting that you will have more people on the street, poor people on the street, homeless people on the street, women who have no sense of security because if they invest, not knowing and not having the skills as most of us do not have, they will come out losers. This is a losing proposition, not strengthening but increasing Social Security. I thank the gentleman for allowing me to just make some statements tonight as I continue to work with women across this Nation to look at this plan that does nothing for us but to weaken the position that we are already weakened in.

Mr. FALLONE. I want to thank the gentlewoman. She is right when she says that we need to have a lot more analysis of this because it just came out. I want to anticipate that people in particular that women or low wage earners would face, I think that anybody who looks at this should be very concerned about the impact. The gentlewoman from Florida talked about the fact that Social Security is not just for people over 65, but also for people who are disabled and for survivors. Particularly with those groups, there is a lot here that they should be concerned about.

If I could ask mention three things with regard to people who take an early retirement, the plan includes a provision that really further reduces early retirement benefits. Again, you have people that because of the economy now and the recession, there are a lot of these early retirement packages being offered in lieu of losing your job, so to speak. People who are taking those packages under this are going to be getting less, and even those who are going to be living a long time, particularly if they are women who tend to live a little longer, and they are going to be suffering because of the amount of benefits they are going to be getting are going to be significantly reduced.

Ms. MILLENDER-MCDONALD. If the gentleman will yield, indeed they will. As we speak about the disabled, there is still nothing that is focused in a positive way in this report. So the disabled is out of luck in trying to find any redeeming qualities in this proposal. Then in addition to that, you are right. When people are now opting out and retiring early, they expect something in their Social Security benefits that will not be there if this is passed and institutionalized. I hope and pray that it is not, because the women of this country will be in an uproar, and men, too, those who opt to take an early retirement, thinking that what they are going to get is not what they would have. I thank the President’s commission’s plan. Again, to strengthen is the operative word. It does not strengthen. It weakens.

Mr. FALLONE. Just this last thing I wanted to mention is that another thing there is some effort on the part of the commission that suggests that the benefits would be improved for widows and low earners. But from what I can see, it is just not true. It is just overstated. The Social Security benefits that widows would receive under the commission’s proposal for an improvement in survivor benefits would actually be less than they would receive under current law. The reason is, from what I understand, because the commission imposes sharp reductions in the basic benefits on which the survivor’s benefit is calculated, so basically undermining the apparent increase in the survivor’s benefit. So it is really very confusing and not what it pretends to be. It also says here that the benefit improvements for low earners may also be smaller than suggested in the commission’s documents because few low wage workers have 30 years of steady earnings at the minimum wage. So few would receive anything. I urge the appropriate body who looks at this should be aware of the impact. The gentlewoman from Florida talked about the fact that Social Security is not just for people over 65, but also for people who are disabled and for survivors. Particularly with those groups, there is a lot here that they should be concerned about.

If I could just mention three things with regard to people who take an early retirement, the plan includes a provision that really further reduces early retirement benefits. Again, you have people that because of the economy now and the recession, there are a lot of these early retirement packages being offered in lieu of losing your job, so to speak. People who are taking those packages under this are going to be getting less, and even those who are going to be living a long time, particularly if they are women who tend to live a little longer, and they are going to be suffering because of the amount of benefits they are going to be getting are going to be significantly reduced.

Ms. MILLENDER-MCDONALD. This is very true. This is another reason why when we talked with them about that and they were trying to give us the formula, that formula was not adding up. Now that it is in print, it does not add up. That is why they should do is give us a stimulus package that really gives unemployment benefits to workers and to bring workers
back to work. You bring workers back to work, then you can continue to buy into the Social Security trust fund, and then you might be able to do some of the things that they are talking about. But without the actuarial analysis, we cannot dissect this thing, we cannot look at all of the potentialities that they are talking about, but what we can see is that it is not strengthening Social Security. For that reason, we will have to denounce this. We will have to simply get our own act together. The American people, especially those women, the disabled and the elderly, will find comfort in a Social Security plan. This is no comfort at all.

Again, I thank the gentleman so much. We look forward to working with the gentleman as we bring about a plan that is a real plan for those Americans who are looking to Social Security for their benefits.

Mr. FALLONE. I want to thank the gentleman and glad, that we brought up the issue of the Social Security commission tonight, because I know that the report has come out but it has not received the attention that it think it needs to receive.

Ms. MCCONNELL-MCDONALD. The report and some of the analysis that we have done through the Democratic staff will be sent to all Members, so you will get that. We will continue to be on the floor to talk about it.

Mr. Speaker, before I conclude tonight, I did want to spend a little time on the issue of an economic stimulus. I wanted to stress again how important I think this is. As we all know, we probably have only another week, maybe 2 weeks but probably not even, just days before the holiday. I know that there is talk now that we may not even do an economic stimulus package because either this House and the other body cannot get together or Democrats and Republicans are trying to come together and have not been able to so far. I do believe very strongly, though, that we must have an economic stimulus package.

As I said in the beginning of this special order, more and more of my constituents are telling me about the problems that they face because of the recession, either higher unemployment or the fact that many displaced workers do not have access to health insurance. There is access to a lot of the benefits that they would normially have if they have a job. That is why the Democrats have stressed that this economic stimulus package has to primarily focus on displaced workers, unemployment compensation, health insurance coverage for people who no longer have a job. And also provide some help to low-income workers. In other words, we have talked about a rebate for those who did not get a rebate as a result of President Bush’s tax cuts that took place about 6 months ago. And also provide some help to low-income workers. In other words, give money back to low-income workers, provide unemployment compensation, provide certain expenditures on infrastructure to protect the country from terrorism which also would create jobs. The problem on the Republican side, particularly with the bill that passed the House with the support of the Republican leadership, is that all the emphasis in that bill and on the Republican side in this Chamber was towards accelerating those same tax cuts that passed as part of the President’s initiatives about 6 months ago.

The fear that I have and that many of the Democrats have is that by accelerating those tax cuts, which primarily were to corporations and wealthy people, that that will not spur the economy, that will not bring money back into the economy because it is not necessarily the case that those tax cuts would be used and spent on things that would stimulate the economy. I just wanted to mention briefly, if I could, the differences between the Democratic and the Republican plan, not because I insist that the Democratic plan be passed. I understand that there are to be some compromises if we are going to reach a majority in both Houses, but I do think that the emphasis needs to be on what stimulates the economy. If you look at the Democratic bill, I will just mention four or five points.

With regard to unemployment compensation, individuals who exhaust their 26-week eligibility for State unemployment would be eligible for an additional 52 weeks of cash payments funded entirely by the Federal Government. Individuals who do not meet their States’ requirements for unemployment insurance, in other words, part-time workers, would receive 26 weeks of federally financed unemployment insurance. This is in the bill. This is the substance of the Democratic proposal.

Mr. Speaker, again, I am about to conclude; but I just wanted to stress again, I understand that if we are going to have an economic stimulus package, that we have to have the parties come together and the President has to be there. But I also think it is crucial that whatever is done actually accomplishes the goal of stimulating the economy. I am very fearful that the Republican proposals that we saw in that House bill, the Republican bill that passed the House, would not accomplish that.

If I could just, in conclusion, Mr. Speaker, read part of this editorial that was in the New York Times on November 26. I know it is almost a month ago now, but I still think it says everything that needs to be said about what we should be doing with regard to economic stimulus. The sections I want to quote are as follows:

I realize Congress should quickly pass a balanced fiscal stimulus bill aiding those who need help most without widening deficits in the years ahead. An appropriate homeland security measure would spend more than the $8 billion the administration wants. “Right now there are two competing stimulus bills, and the one supported by most Senators is by far the better. It would channel tax breaks and spending to those most hurt by the economic downturn, whereas the bill passed by the House Republican budget committee disproportionately for the rich and for big corporations.”

“Congress could reach a financially responsible compromise if Republicans dropped their worst ideas, a speed-up of the tax cuts enacted earlier this year under President Bush’s tax cut would receive a one-time payment of up to $300 for a single person and $600 for married couples.

With regard to health care benefits, the Federal Government would fully reimburse eligible individuals for their COBRA premiums. Individuals who do not qualify for COBRA and are otherwise uninsured would be eligible for Medicaid, with the Federal Government covering 100 percent of the premiums. These benefits, health care benefits, would last for a maximum of 18 months.

Then I mentioned the rebate checks. Under the Democratic proposal, low- and moderate-income workers who did not qualify for the rebate checks issued earlier this year under President Bush’s tax cut would receive a one-time payment of up to $300 for a single person and $600 for married couples.

Finally, with regard to these homeland or domestic security upgrades, the Democratic package includes up to $9 billion to improve our Nation’s infrastructure to protect against terrorism. Included would be funding for bioterrorism prevention and food safety, local police and fire departments, border security, airport security, and highway, bridge and tunnel improvements.

The idea of these upgrades is to basically hire more workers, and, therefore, lower the unemployment rate and put money into the economy. If you contrast that, Mr. Speaker, with the Republican tax cut bill which passed the House, just to give you some of the provisions, of the $98.5 billion in tax cuts this year, $70.8 billion benefits corporations, $14.8 billion benefits affluent individuals, and only $13.7 billion goes to workers with lower incomes.

Then you have the sweethearts things for the corporations, the repeal of corporate Alternative Minimum Tax. The bill not only repeals the corporate AMT, but it allows companies to receive refunds based on past AMT payments back to 1996. Capital gains tax cut, multinational financing tax cut, that goes on.

Mr. Speaker, again, I am about to conclude; but I just wanted to stress again, I understand that if we are going to have an economic stimulus package, that we have to have the parties come together and the President has to be there. But I also think it is crucial that whatever is done actually accomplishes the goal of stimulating the economy. I am very fearful that the Republican proposals that we saw in that House bill, the Republican bill that passed the House, would not accomplish that.

If I could just, in conclusion, Mr. Speaker, read part of this editorial that was in the New York Times on November 26. I know it is almost a month ago now, but I still think it says everything that needs to be said about what we should be doing with regard to economic stimulus. The sections I want to quote are as follows:

I realize Congress should quickly pass a balanced fiscal stimulus bill aiding those who need help most without widening deficits in the years ahead. An appropriate homeland security measure would spend more than the $8 billion the administration wants. “Right now there are two competing stimulus bills, and the one supported by most Senators is by far the better. It would channel tax breaks and spending to those most hurt by the economic downturn, whereas the bill passed by the House Republican budget committee disproportionately for the rich and for big corporations.”

“Congress could reach a financially responsible compromise if Republicans dropped their worst ideas, a speed-up of the tax cuts enacted earlier this year under President Bush’s tax cut would receive a one-time payment of up to $300 for a single person and $600 for married couples.

With regard to health care benefits, the Federal Government would fully reimburse eligible individuals for their COBRA premiums. Individuals who do not qualify for COBRA and are otherwise uninsured would be eligible for Medicaid, with the Federal Government covering 100 percent of the premiums. These benefits, health care benefits, would last for a maximum of 18 months.

Then I mentioned the rebate checks. Under the Democratic proposal, low- and moderate-income workers who did not qualify for the rebate checks issued earlier this year under President Bush’s tax cut would receive a one-time payment of up to $300 for a single person and $600 for married couples.

Finally, with regard to these homeland or domestic security upgrades, the Democratic package includes up to $9 billion to improve our Nation’s infrastructure to protect against terrorism. Included would be funding for bioterrorism pre-
final bill could then focus on tax breaks, tax refunds and health benefits for the poor and the working poor, while helping small and medium-sized businesses with adjustments and write-offs for depreciation and expenses.”

Mr. Speaker, there is no reason why we cannot come to a compromise along those lines. I would urge our leaders here over the next few days to try to reach a compromise because I think it is very important for the future of the economy.

CONFERENCE REPORT ON S. 1438, NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2002

Mr. STUMP (during the Special Order of Mr. PALLONE) submitted the following conference report and statement on the Senate bill (S. 1438) to authorize appropriations for fiscal year 2002 for military activities of the Department of Defense, for military construction, and for the defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes:

CONFERENCE REPORT (H. Rept. 107-333)

The committee of conference on the disagreeing votes of the two Houses on the amendment of the House to the bill (S. 1438), to authorize appropriations for fiscal year 2002 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its disagreement to the amendment of the House and agree to the same with an amendment as follows:

In lieu of the matter proposed to be inserted by the House amendment, insert the following:

SECTION 1. SHORT TITLE.
This Act may be cited as the “National Defense Authorization Act for Fiscal Year 2002.”

SEC. 2. ORGANIZATION OF ACT INTO DIVISIONS; TABLE OF CONTENTS.
(a) Divisions.—This Act is organized into three divisions as follows:
(1) Division A—Defense Authorization;
(2) Division B—Military Construction Authorizations;
(3) Division C—Department of Energy National Security Authorizations and Other Authorizations;

(b) Table of Contents.—The table of contents for this Act is as follows:
Sec. 1. Short title.
Sec. 2. Organization of Act into divisions; table of contents.
Sec. 3. Congressional defense committees defined.

DIVISION A—DEFENSE AUTHORIZATIONS

TITLE I—PROCUREMENT

Subtitle A—Authorization of Appropriations
Sec. 101. Army.
Sec. 102. Navy and Marine Corps.
Sec. 103. Air Force.
Sec. 104. Defense-wide activities.
Sec. 106. Chemical Agents and Munitions Destruction, Defense.
Sec. 107. Defense Health Program.
Subtitle E—Defense Dependents Education
Sec. 501. Assistance to local educational agencies that benefit dependents of members of the Armed Forces and Department of Defense civilian employees.
Sec. 502. Impact aid for children with severe disabilities.
Sec. 503. Availability of auxiliary services of defense dependents’ education system for dependents who are home school students.
Sec. 504. Comptroller General study of adequacy of compensation provided for teachers in the Department of Defense overseas dependents’ schools.

Subtitle F—Other Matters
Sec. 505. Authority for promotion without selection board consideration for all fully qualified officers in grade of first lieutenant or lieutenant (junior grade) in the Navy.
Sec. 506. Authority to adjust date of rank of certain promotions delayed by reason of unusual circumstances.
Sec. 507. Authority for limited extension of medical deferment of mandatory retirement or separation.
Sec. 508. Authority for limited extension on active duty of nonmembers subject to mandatory retirement or separation.
Sec. 509. Exemption from certain administrative limitations for retired officers ordered to active duty as defense or service attaches.
Sec. 510. Officer in charge of United States Navy Band.

Subtitle B—Reserve Component Personnel Policy
Sec. 511. Placement on active-duty list of certain Reserve officers on active duty for a period of three years or less.
Sec. 512. Exception to baccalaureate degree requirement for appointment of Reserve officers to grades above first lieutenant.
Sec. 513. Improved disability benefits for certain Reserve component members.
Sec. 514. Time-in-grade requirement for reserve component officers retired with a non-service-connected disability.
Sec. 515. Equal treatment of Reserves and full-time active duty members for purposes of managing personnel deployments.
Sec. 516. Modification of physical examination requirements for members of the Individual Ready Reserve.
Sec. 517. Retirement of principal members without requirement for formal application or request.
Sec. 518. Space-required travel by Reserves on military aircraft.
Sec. 519. Payment of Federal Employee Health Benefit Program premiums for certain Reservists called to active duty in support of contingency operations.

Subtitle C—Joint Specialty Officers and Joint Professional Military Education
Sec. 520. Nominations and promotions for joint specialty officers.
Sec. 521. Joint duty credit.
Sec. 522. Joint duty credit for duty in joint joint task forces.
Sec. 523. Revision to annual report on joint office management.
Sec. 524. Requirement for selection for joint specialty before promotion to general or flag officer grade.
Sec. 525. Independent study of joint officer management and joint professional military education reforms.
Sec. 526. Professional development education.
Sec. 527. Authority for National Defense University to enroll certain private sector civilians.
Sec. 528. Continuation of reserve component professional military education test.

Subtitle D—Military Education and Training
Sec. 529. Defense Language Institute Foreign Language Center.
Sec. 530. Authority for the Marine Corps University to award degree of master of strategic studies.
Sec. 531. Foreign students attending the service academies.
Sec. 532. Increase in maximum age for appointment as a first lieutenant in Senior Reserve Officers’ Training Corps scholarship programs.
Sec. 533. Participation of regular enlisted members of the Armed Forces in Senior Reserve Officers’ Training Corps program.
Sec. 534. Authority to modify the service obligation of certain ROTC cadets in military junior colleges receiving financial assistance.
Sec. 535. Repeal of limitation on number of Junior Reserve Officers’ Training Corps units.
Sec. 536. Modification of nurse officer candidate accession program restrictions on students attending educational institutions with senior reserve officers’ training programs.
Sec. 537. Reserve health professionals stipend program expansion.
Sec. 538. Housing allowance for the chaplain for the Corps of Cadets at the United States Military Academy.

Subtitle E—Recruiting and Acession Programs
Sec. 539. 18-month enlistment pilot program.
Sec. 540. Improved benefits under the Army College First program.
Sec. 541. Correction and expansion of certain Army recruiting pilot program authorities.
Sec. 542. Military recruiter access to secondary school students.
Sec. 543. Permanent authority for use of military recruiting funds for certain expenses at Department of Defense recruiting functions.
Sec. 544. Report on health and disability benefits for pre-accession training and education programs.

Subtitle F—Decorations, Awards, and Burial Honors
Sec. 545. Authority for award of Medal of Honor to certain Jewish American and Hispanic American war veterans.
Sec. 546. Review regarding award of Medal of Honor to certain Jewish American and Hispanic American war veterans.
Sec. 547. Authority to issue duplicate Medals of Honor and to replace stolen military decorations.
Sec. 548. Retroactive Medal of Honor special pension.
Sec. 549. Waiver of time limitations for award of certain decorations to certain persons.
Sec. 550. Sense of Congress on issuance of certain medals.
Sec. 551. Sense of Congress on development of a more comprehensive, uniform policy for the award of decorations to military and civilian personnel of the Department of Defense.
Sec. 552. Posthumous Army commission in the grade of captain in the Chaplains Corps to Elia E. Gibson for service as chaplain of the First Wisconsin Heavy Artillery Regiment during the Civil War.

Subtitle G—Funeral Honors Duty
Sec. 553. Participation of military retirees in funeral honors details.
Sec. 554. Funeral honors duty performed by Reserve and Guard members to be treated as inactive-duty training for certain purposes.
Sec. 555. Use of military personnel for funeral honors duty by Reserve members and National Guardsmen.
Sec. 556. Authority to provide appropriate articles of clothing as a civilian uniform for civilians participating in funeral honor details.
Subtitle H—Military Spouses and Family Members
Sec. 571. Improved financial and other assistance to military spouses for job training and education.
Sec. 572. Persons authorized to be included in surveys of military families regarding Federal programs.
Sec. 573. Clarification of treatment of classified information concerning persons in a missing status.
Sec. 574. Transportation to annual meeting of next-of-kin of persons unaccounted for from conflicts after World War II.
Sec. 575. Amendments to charter of Defense Task Force on Domestic Violence.
Subtitle I—Military Justice and Legal Assistance Matters
Sec. 581. Blood alcohol content limit for the offense under the Uniform Code of Military Justice of drunken operation of a vehicle, aircraft, or vessel.
Sec. 582. Requirement that courts-martial consist of not less than 12 members in capital cases.
Sec. 583. Acceptance of voluntary legal assistance for the civil affairs of members and former members of the uniformed services and their dependents.
Subtitle J—Other Matters
Sec. 591. Congressional review period for change in ground combat exclusion policy.
Sec. 592. Per diem allowance for lengthy or numerous deployments.
Sec. 593. Clarification of disability severance pay reimbursement.
Sec. 594. Transportation or storage of privately owned vehicles on change of permanent station.
Sec. 595. Repeal of requirement for final Comptroller General report relating to Army end strength allocations.
Sec. 596. Continued Department of Defense administration of National Guard Challenge program and Department of Defense Starbase program.
Sec. 597. Report on Defense Science Board recommendations on original appointments in regular grades for Academy graduates and certain other new officers.
Sec. 598. Sense of Congress regarding the selection of officers for recommendation for appointment as Commander, United States Transportation Command.

Subtitle B—Bonuses and Special and Incentive Pays
Sec. 611. One-year extension of certain bonus and special pay authorities for reenlistment.
Sec. 612. One-year extension of certain bonus and special pay authorities for nurse officer candidates, registered nurses, and nurse anesthetists.
Sec. 613. One-year extension of special pay and bonus authorities for nuclear officers.
Sec. 614. One-year extension of other bonuses and special pay authorities.
Sec. 615. Hazardous duty pay for members of maritime visit, board, search, and seizure teams.
Sec. 616. Eligibility for certain career continuation bonuses for early commitment to remain on active duty.
Sec. 617. Secretarial discretion in prescribing submarine duty incentive pay rates.
Sec. 618. Conforming accession bonus for dental officers authority with authorities for other special pay and bonuses.
Sec. 619. Modification of eligibility requirements for Individual Ready Reserve bonus for reenlistment, extension of enlistment.
Sec. 620. Installation payment authority for 15-year career status bonus.
Sec. 621. Accession bonus for new officers in critical skill and capabilities.
Sec. 622. Education savings plan to encourage service in critical specialties.
Sec. 623. Continuation of payment of special and incentive pay at unreduced rates during stop loss periods.
Sec. 624. Retroactive authority for imminent danger pay for service in connection with Operation Enduring Freedom.
Subtitle C—Travel and Transportation Allowances
Sec. 631. Minimum per diem rate for travel and transportation allowance for travel performed upon a change of permanent station and certain other travel.
Sec. 632. Eligibility for payment of subsistence expenses associated with occupancy of temporary lodging incident to reporting to first permanent duty station.
Sec. 633. Reimbursement of members for mandatory pet quarantine fees for household pets.
Sec. 634. Increased weight allowance for transportation of baggage and household effects for junior enlisted members.
Sec. 635. Eligibility of additional members for dislocation allowance.
Sec. 636. Partial dislocation allowance authorized for housing moves ordered for Government convenience.
Sec. 637. Allowances for travel performed in connection with members taking authorized leave between consecutive overseas tours.
Sec. 638. Travel and transportation allowances for family members to attend burial of a deceased member of the uniformed services.
Sec. 639. Funded student travel for foreign study under an education program approved by a United States school.

Subtitle D—Retirement and Survivor Benefit Matters
Sec. 641. Contingent authority for concurrent receipt of military retired pay and veterans' compensation.
Sec. 642. Survivor Benefit Plan annuities for surviving spouses of members who die while on active duty and not eligible for retirement.

Subtitle E—Other Matters
Sec. 651. Payment for unused leave in excess of 60 days accruing by members of reserve components on active duty for one year or less.
Sec. 652. Additional authority to provide assistance for families of members of the Armed Forces.
Sec. 653. Authorization of transitional compensation and commissary and exchange benefits for dependents of commissioned officers of the Public Health Service and the National Oceanic and Atmospheric Administration who are separated for dependent abuse.
Sec. 654. Transfer of entitlement to educational assistance under Montgomery GI Bill by members of the Armed Forces with critical military skills.

TitE VII—HEALTH CARE PROVISIONS
Subtitle A—TRICARE Program Improvements
Sec. 701. Sub-acute and long-term care program reform.
Sec. 702. Prosthetics and hearing aids.
Sec. 703. Durable medical equipment.
Sec. 704. Rehabilitative therapy.
Sec. 705. Report on mental health benefits.
Sec. 706. Clarification of eligibility for reimbursement of travel expenses of adult accompanying patient in travel for specialty care.
Sec. 707. TRICARE program limitations on payment rates for institutional health care providers and on balance billing by institutional and non-institutional health care providers.
Sec. 708. Improvements in administration of the TRICARE program.
Subtitle B—Senior Health Care
Sec. 711. Clarifications and improvements regarding the Department of Defense Medicare-Eligible Retiree Health Care Fund.
Subtitle C—Studies and Reports
Sec. 721. Comptroller General study of health care coverage of members of the reserve components of the Armed Forces and the National Guard.
Sec. 722. Comptroller General study of adequacy and accessibility of health care provided to women under the Defense health program.
Sec. 723. Repeal of obsolete report requirement.
Sec. 724. Comptroller General report on requirement to provide screenings, physical examinations, and other care for certain members.
Subtitle D—Other Matters
Sec. 731. Prohibition against requiring military retirees to receive health care solely through the Department of Defense.
Sec. 732. Fees for trauma and other medical care provided to civilians.
Sec. 733. Enhancement of medical product development.
Sec. 734. Pilot program providing for Department of Veterans Affairs support in the performance of separation physical examinations.
Sec. 735. Modification of prohibition on requirement of non-voluntariness statement or preauthorization.
Sec. 736. Transitional health care for members separated from active duty.
Sec. 737. Two-year extension of health care management demonstration program.
TITLE VIII—ACQUISITION POLICY, ACQUISITION MANAGEMENT, AND RELATED MATTERS

Subtitle A—Procurement Management and Administration
Sec. 811. Applicability of competition requirements to purchases from a required source.
Sec. 812. Extension of mentor-protege program.
Sec. 813. Increase of assistance limitation regarding procurement technical assistance program.

Subtitle C—Amendments to General Contracting Authorities, Procedures, and Related Matters
Sec. 821. Amendments to conform with administrative changes in acquisition phase and milestone terminology and to make related adjustments in certain requirements applicable at milestone transition points.
Sec. 822. Follow-on production contracts for products developed pursuant to prototype projects.
Sec. 823. One-year extension of program applying simplified procedures to certain commercial items.
Sec. 824. Acquisition workforce qualifications.
Sec. 825. Report on implementation of recommendations of the acquisition 2005 task force.

Subtitle D—Other Matters
Sec. 831. Identification of errors made by executive agencies in payments to contractors and recovery of amounts erroneously paid.
Sec. 832. Codification and modification of provision of law known as the "brokers' Act.
Sec. 833. Personal services contracts to be performed by individuals or organizations abroad.
Sec. 834. Requirements regarding insensitive munitions.
Sec. 835. Inapplicability of limitation to small purchases of miniature or instrument ball or roller bearings under certain circumstances.
Sec. 836. Temporary emergency procurement authority to facilitate the defense against terrorism or biological or chemical attack.

TITLE IX—ACQUISITION POLICY, ACQUISITION MANAGEMENT, AND RELATED MATTERS

Subtitle A—Duties and Functions of Department of Defense Officers
Sec. 901. Deputy Secretary of Defense for Personnel and Readiness.
Sec. 903. Suspension of reorganization of engineering and technical authority policy within the Naval Sea Systems Command pending report to congressional committees.

Subtitle B—Space Activities
Sec. 911. Joint management of space programs.
Sec. 912. Requirement to establish in the Air Force an officer career field for space.
Sec. 913. Secretary of Defense report on space programs.
Sec. 914. Controller General assessment of implementation of recommendations of Space Commission.
Sec. 915. Sense of Congress regarding officers recommended to be appointed to serve as Commander of United States Space Command.

Subtitle C—Reports
Sec. 921. Revised requirement for Chairman of the Joint Chiefs of Staff to advise Secretary of Defense on the assignment of roles of the Armed Forces.
Sec. 922. Revised requirements for content of annual report on joint warfighting experimentation.
Sec. 923. Repeal of requirement for one of three remaining required reports on activities of Joint Requirements Oversight Council.
Sec. 924. Revised joint report on establishment of national collaborative information analysis capability.

Subtitle D—Other Matters
Sec. 931. Conforming amendments relating to change of name of Military Airlift Command to Air Mobility Command.
Sec. 932. Organizational realignment for Navy Director for Expeditionary Warfare.
Sec. 933. Conforming amendments relating to change of military aircraft to air mobility command.

TITLE X—CIVILIAN PERSONNEL MATTERS

Subtitle A—Department of Defense Civilian Personnel
Sec. 1001. Transfer authority.
Sec. 1002. Incorporation of classified annex.
Sec. 1004. United States contribution to NATO common-funded budgets in fiscal year 2002.
Sec. 1005. Limitation on funds for Bosnia and Kosovo peacekeeping operations for fiscal year 2002.
Sec. 1006. Mergers of financial statements.
Sec. 1007. Clarification of applicability of interest penalties for late payment of interim payments made under contracts for services.
Sec. 1008. Reliability of Department of Defense financial statements.
Sec. 1009. Financial Management Modernization Executive Committee and financial feeder systems compliance process.
Sec. 1010. Authorization of funds for ballistic missile defense programs or combating terrorism programs of the Department of Defense.

Subtitle B—Naval Vessels and Shipyards
Sec. 1011. Authority to transfer naval vessels to foreign countries.
Sec. 1012. Sale of Glomar Explorer to the lessee.
Sec. 1013. Ending of Navy ships for university national oceanographic laboratory system.
Sec. 1014. Repeal of limitations on administrative authority of the Navy to settle admiralty claims.

Subtitle C—Counter-Drug Activities
Sec. 1021. Extension and reinstatement of authority to provide Department of Defense support for counter-drug activities of other governmental agencies.
Sec. 1022. Extension of reporting requirement regarding Department of Defense expenditures to support foreign counter-drug activities.
Sec. 1023. Authority to lease Tracker aircraft currently used by Armed Forces for counter-drug purposes.

Sec. 1024. Limitation on use of funds for operation of Tethered Aerostat Radar System pending submission of required report.

Subtitle D—Strategic Forces
Sec. 1031. Repeal of limitation on retirement or dismantlement of strategic nuclear delivery systems.
Sec. 1032. Air Force bomber force structure.
Sec. 1033. Additional elements for revised nuclear posture review.
Sec. 1034. Report on options for modernization and enhancement of missile wing helicopter support.

Subtitle E—Other Department of Defense Provisions
Sec. 1041. Secretary of Defense recommendation on need for Department of Defense review of proposed Federal agency actions to consider possible impact on national defense.
Sec. 1042. Department of Defense reports to Congress to be accompanied by electronic version upon request.
Sec. 1043. Department of Defense gift authorities.
Sec. 1044. Acceleration of research, development, and production of chemical and biological protective equipment for department personnel and civilian employees of the Department of Defense.
Sec. 1045. Chemical and biological protective equipment for military personnel and civilian employees of the Department of Defense.
Sec. 1047. Report on procedures and guidelines for embarkation of civilian guests on naval vessels for public affairs purposes.
Sec. 1048. Technical and clerical amendments.
Sec. 1049. Termination of referendum requirement regarding continuation of military training on island of Vieques, Puerto Rico, and imposition of additional conditions on closure of live-fire training range.

Subtitle F—Other Matters
Sec. 1061. Assistance for firefighters.
Sec. 1062. Extension of times for Commission on the Future of the United States Aerospace industry to report and to terminate.
Sec. 1064. Waiver of veteran birth defects during periods of national emergency.
Sec. 1065. Repair, restoration, and preservation of Lafayette Escadrille Memorial, Marnes-la-Coquette, France.

TITLE XI—OTHER DEPARTMENT OF DEFENSE MATTERS

Subtitle A—Department of Defense Civilian Personnel
Sec. 1102. Payment of personnel to obtain professional credentials.
Sec. 1103. Parity in establishment of wage and grade structure.
Sec. 1104. Authority to appoint certain health care professionals in the excepted service.

Subtitle B—Civilian Personnel Management Generally
Sec. 1111. Authority to provide hostile fire pay.
Sec. 1112. Payment of expenses to obtain professional credentials.
Sec. 1113. Parity in establishment of wage schedules and rates for prevailing rate employees.
Sec. 1114. Modification of limitation on premium pay.
Sec. 1115. Participation of personnel in technical standards development activities.
TITLE XII

Subtitle A

Matters Related to Arms Control and Monitoring

Sec. 1201. Clarification of authority to furnish nuclear test monitoring equipment to foreign governments.

Sec. 1202. Limitation on funding for joint Data Exchange Center in Moscow.

Sec. 1203. Support of United Nations-sponsored efforts to inspect and monitor Iraqi weapons activities.

Sec. 1204. Authority for employees of Federal Government contractors to accompany chemical weapons inspectors at Government-owned facilities.

Sec. 1205. Plan for securing nuclear weapons, materials, and expertise of the states of the former Soviet Union.

Subtitle B

Matters Related to Allies and Friendly Foreign Nations

Sec. 1211. Acquisition of logistical support for security forces.

Sec. 1212. Extension of authority for international cooperative research and development projects.

Sec. 1213. Cooperative agreements with foreign countries and international organizations for reciprocal use of test facilities.

Sec. 1214. Sense of Congress on allied defense burdensharing.

Subtitle C

Reports

Sec. 1221. Report on significant sales and transfers of military hardware, expertise, and technology to the People’s Republic of China.

Sec. 1222. Repeal of requirement for reporting to Congress on military deployments to Haiti.

Sec. 1223. Report by Comptroller General on provision of defense articles, services, and military education and training to foreign countries and international organizations.

TITLE XIII

COOPERATIVE THREAT REDUCTION WITH STATES OF THE FORMER SOVIET UNION

Sec. 1301. Specification of Cooperative Threat Reduction programs and funds.

Sec. 1302. Funding allocations.

Sec. 1303. Limitation on use of funds until submission of reports.

Sec. 1304. Requirement to consider use of revenue generated by activities carried out under Cooperative Threat Reduction programs.

Sec. 1305. Prohibition against use of funds for second wing of fissile material storage facility.

Sec. 1306. Prohibition against use of funds for certain construction activities.

Sec. 1307. Reports on activities and assistance under Cooperative Threat Reduction programs.

Sec. 1308. Chemical weapons destruction.

Sec. 1309. Additional matter in annual report on activities and assistance under Cooperative Threat Reduction programs.

TITLE XIV

ARMED FORCES RETIREMENT HOME


Sec. 1402. Definitions.

Sec. 1403. Revision of authority establishing the Armed Forces Retirement Home.

Sec. 1404. Chief Operating Officer.

Sec. 1405. Residents of Retirement Home.

Sec. 1406. Local Boards of Trustees.

Sec. 1407. Directors, Deputy Directors, Associate Directors, and staff of facilities.

Sec. 1408. Disposition of effects of deceased persons and unclaimed property.

Sec. 1409. Transitional provisions.

Sec. 1410. Conforming and clerical amendments and repeals of obsolete provisions.

TITLE XV

ACTIVITIES RELATING TO COMBATING TERRORISM

Subtitle A

Increased Funding for Combating Terrorism

Sec. 1501. Definitions.


Sec. 1504. Authorization of use of funds for military construction projects.

Sec. 1505. Treatment of transferred amounts.

Sec. 1506. Quarterly reports.

Subtitle B

Policy Matters Relating to Combating Terrorism

Sec. 1511. Study and report on the role of the Department of Defense with respect to homeland security.

Sec. 1512. Combating Terrorism Readiness Initiatives Fund for combatant commands.

Sec. 1513. Conveyances of equipment and related materials loaned to State and local governments as assistance for emergency response to a use or threatened use of a weapon of mass destruction.

Sec. 1514. Two-year extension of advisory panel to assess domestic response capabilities for terrorism involving weapons of mass destruction.

TITLE XVI

UNIFORMED SERVICES VOTING

Sec. 1601. Sense of Congress regarding the importance of voting.

Sec. 1602. Voting assistance programs.

Sec. 1603. Guarantee of residency for military personnel.

Sec. 1604. Electronic voting demonstration project.

Sec. 1605. Governors’ reports on implementation of recommendations for changes in State law made under Federal Voting Assistance Program.

Sec. 1606. Simplification of voter registration and absentee ballot application procedures for absent uniformed services and overseas voters.

Sec. 1607. Use of certain Department of Defense facilities as polling places.

DIVISION B

MILITARY CONSTRUCTION AUTHORIZATIONS

Sec. 2001. Short title; definition.
Sec. 3. CONGRESSIONAL DEFENSE COMMITTEES DEFINED.
For purposes of this Act, the term "congressional defense committees" means—
(1) the Committee on Armed Services and the Committee on Appropriations of the Senate; and
(2) the Committee on Armed Services and the Committee on Appropriations of the House of Representatives.

DIVISION A—DEPARTMENT OF DEFENSE AUTHORIZATIONS
TITLE I—PROCUREMENT

Subtitle A—Authorization of Appropriations

Sec. 101. Army.
Sec. 102. Navy and Marine Corps.
Sec. 103. Air Force.

Sec. 104. Defensewide activities.
Sec. 106. Chemical Agents and Munitions Destruction.
Sec. 107. Defense Health Programs.

Subtitle B—Army Programs

Sec. 111. Repeal of limitations on bunker defeat munitions program.
Sec. 112. Extension of pilot program on sales of manufactured articles and services of certain Army industrial facilities without regard to availability from domestic sources.
Sec. 113. Limitations on acquisition of interim armored vehicles and deployment of interim brigade combat teams.

Subtitle C—Navy Programs

Sec. 114. Virginia-class submarine program.
Sec. 115. Multyear procurement authority for F/A-18E/F aircraft engines.
Sec. 116. V-22 Osprey aircraft program.
Sec. 117. Report on status of V-22 Osprey aircraft before resumption of flight testing.

Subtitle D—Air Force Programs

Sec. 118. Multiyear procurement authority for F-22.

Subtitle A—Authorization of Appropriations

Sec. 101. Army.

Funds are hereby authorized to be appropriated for fiscal year 2002 for procurement for the Army as follows:

(1) For aircraft, $2,075,372,000.
(2) For missiles, $1,086,954,000.
(3) For weapons and tracked combat vehicles, $2,164,135,000.
(4) For ammunition, $1,187,233,000.
(5) For other procurement, $4,044,080,000.

SEC. 102. NAVY AND MARINE CORPS.

(a) NAVY—Funds are hereby authorized to be appropriated for fiscal year 2002 for procurement for the Navy as follows:

(1) For aircraft, $8,223,147,000.
(2) For weapons, including missiles and torpedoes, $1,384,321,000.
(3) For shipbuilding and conversion, $9,370,972,000.
(4) For other procurement, $4,282,471,000.
(b) MARINE CORPS—Funds are hereby authorized to be appropriated for fiscal year 2002 for procurement for the Marine Corps in the amount of $1,014,637,000.
(c) NAVY AND MARINE CORPS AMMUNITION—Funds are hereby authorized to be appropriated for fiscal year 2002 for procurement of ammunition for the Navy and the Marine Corps in the amount of $466,907,000.

SEC. 103. AIR FORCE.
Funds are hereby authorized to be appropriated for fiscal year 2002 for procurement for the Air Force as follows:

(1) For aircraft, $10,789,167,000.
(2) For missiles, $1,221,000,000.
(3) For ammunition, $681,844,000.
(4) For other procurement, $6,196,021,000.

SEC. 104. DEFENSE-WIDE ACTIVITIES.
Funds are hereby authorized to be appropriated for fiscal year 2002 for Defense-wide procurement in the amount of $2,279,482,000.

SEC. 105. DEFENSE INSPECTOR GENERAL.

Funds are hereby authorized to be appropriated for fiscal year 2002 for procurement for the Inspector General of the Department of Defense in the amount of $8,900,000.

SEC. 106. CHEMICAL AGENTS AND MUNITIONS DESTRUCTION, DEFENSE.

There is hereby authorized to be appropriated for fiscal year 2002 for procurement for Department of Defense for Chemical Agents and Munitions Destruction, Defense, the amount of $1,153,557,000 for—

(1) the destruction of lethal chemical agents and munitions in accordance with section 1412 of the Department of Defense Authorization Act, 1986 (50 U.S.C. 1521); and
(2) the destruction of chemical warfare materiel of the United States that is not covered by section 1412 of such Act.

SEC. 107. DEFENSE HEALTH PROGRAM.

Funds are hereby authorized to be appropriated for fiscal year 2002 for the Department of Defense for procurement for carrying out health care programs, projects, and activities of the Department of Defense in the total amount of $327,519,000.

Subtitle B—Army Programs

SEC. 111. REPEAL OF LIMITATIONS ON BUNKER DEFEAT MunITIONS PROGRAM.

Section 116 of the National Defense Authorization Act for Fiscal Year 1998 (Public Law 105-85; 10 U.S.C. 4543 note) is amended—

(1) by striking "through 2001" and inserting "through 2002"; and
(2) by inserting before the period at the end of the following:

"except that following fiscal year 2002 the Secretary may only use articles manufactured at, and services provided by, not more than one Army industrial facility";

SEC. 112. EXTENSION OF PILOT PROGRAM ON SALES OF MANUFACTURED ARTICLES AND SERVICES OF CERTAIN ARMY INDUSTRIAL FACILITIES WITHOUT REGARD TO AVAILABILITY FROM DOMESTIC SOURCES.

Section 141(a) of the National Defense Authorization Act for Fiscal Year 1998 (Public Law 105-85; 10 U.S.C. 4543 note) is amended—

(1) by redesigning subsection (f) as subsection (i); and
(2) by inserting after subsection (e) the following new subsections:

"(f) WAIVER OF COMPARISON REQUIREMENT.—The Secretary of Defense may waive subsections (c) and (e)(1) and submit to the congressional defense committees a certification under subsection (e)(2) without regard to the requirement in that subsection for the completion of a comparison of costs and operational effectiveness if the Secretary includes in the submittal a certification of each of the following:

(1) That the results of executed tests and existing analyses are sufficient for making a meaningful comparison of the costs and operational effectiveness of the interim armored vehicles referred to in subparagraph (A) of subsection (c) and the medium armored vehicles referred to in subparagraph (B) of such subsection;

(2) That the conduct of a comparative evaluation of those vehicles in a realistic field environment would provide no significant additional data relevant to that comparison; and

(3) That the Secretary has evaluated the existing data on cost and operational effectiveness of those vehicles and, taking that data into account, the Secretary is satisfied that the interim armored vehicles are likely to be more effective than the medium armored vehicles referred to in subparagraph (B) of subsection (c)."
(c) CONGRESSIONAL NOTICE-AND-WAIT PERIOD.—Upon transmission to Congress of a certification referred to in subsection (b) with respect to a contract authorized by subsection (a), the contractor and analysis of any after-the-fact determination of the Army that the Army’s armament needs have been satisfied with respect to that contract.

(b) REQUIRED CERTIFICATIONS.—In the case of a contractor authorized by subsection (a) of this section, a certification under subsection (a)(1)(A) of section 2306b of title 10, United States Code, with respect to that contract may only be submitted if the certification includes an additional certification that each of the conditions specified in subsection (a) of that section has been satisfied with respect to that contract.

(2) The operational evaluation under paragraph (1) may not be conducted until the plan for such evaluation is approved by the Director of Operational Test and Evaluation of the Department of Defense.

(i) LIMITATION ON PROCUREMENT OF INTERIM ARMORED VEHICLES AND DEPLOYMENT OF IBCTS.—(1) The actions described in paragraph (2) may not be taken until the date that is 30 days after the date on which the Secretary of Defense—

(2) The Secretary of Defense may waive the applicability of paragraph (1) to a deployment of an interim brigade combat team outside the United States.

(j) Operational evaluation carried out under subsection (a) of this section, a certification under subsection (i)(1)(A) of section 2306b of title 10, United States Code, except that, notwithstanding subsection (a), the contract may then be entered into only after a period of 30 days has elapsed after the date of the transmission of such certification.

SEC. 123. V-22 OSPREY AIRCRAFT PROGRAM.

The production rate for V-22 Osprey aircraft may not be increased until the minimum sustaining production rate for which funds are authorized to be appropriated by this Act until the Secretary of Defense certifies to Congress that successful operational testing of the aircraft demonstrates that—

(1) the solutions to the problems regarding the reliability of the power components of the V-22 Osprey aircraft and flight control software that were identified by the panel appointed by the Secretary of Defense on January 5, 2001, to review the V-22 aircraft program are adequate to achieve low risk for crews and passengers aboard V-22 aircraft that are operating under operational conditions;

(2) the V-22 aircraft can achieve reliability and maintainability levels that are sufficient for the aircraft to achieve operational availability at the level required for fleet aircraft;

(3) the V-22 aircraft will be operationally effective;

(a) when employed in operations with other V-22 aircraft;

(b) when employed in operations with other types of aircraft;

(c) when the V-22 aircraft can be operated effectively, taking into consideration the downwash effects inherent in the operation of the aircraft, when the aircraft—

(1) is operated in remote areas with unimproved terrain and facilities;

(2) is deployed and recovering personnel—

(i) while hovering within the zone of ground effect; and

(ii) while hovering outside the zone of ground effect; and

(3) is operated with external loads.

SEC. 124. REPORT ON STATUS OF V-22 OSPREY AIRCRAFT BEFORE RESUMPTION OF FLIGHT TESTING.

Not later than 30 days before the resumption of flight testing of the V-22 Osprey aircraft, the Secretary of Defense shall submit to Congress a report containing the following:

(1) A comprehensive description of the status of the hydraulics system and flight control software of the V-22 Osprey aircraft, including:

(A) a description of any deficiencies in the hydraulics system and flight control software of the V-22 Osprey aircraft;

(B) a description and assessment of the actions taken to correct such deficiencies;

(2) A description of the current actions, and any proposed actions, of the Department of Defense to implement the recommendations of the panel appointed by the Secretary of Defense on January 5, 2001, to review the V-22 aircraft program.

(3) An assessment of the recommendations of the National Aeronautics and Space Administration on tiltrotor aeromechanics provided in a briefing to the Undersecretary of Defense for Acquisition, Logistics, and Technology on August 14, 2001.

(4) Notice of the waiver, if any, of any item capability or any other requirement specified in the Joint Operational Requirements Document for the V-22 Osprey aircraft, including a justification of each such waiver.

Subtitle D—Air Force Programs

SEC. 131. Multiyear procurement authority for c-17 aircraft.

(a) Multiyear authority.—Beginning with the 2002 program year, the Secretary of the Air Force may enter into a multiyear contract for the procurement of engines for F-15E/BEP aircraft.

(b) Certification.—In the case of a contract authorized by subsection (a) of this section, a certification under subsection (a)(1)(A) of section 2306b of title 10, United States Code, with respect to that contract may only be submitted if the certification includes an additional certification that each of the conditions specified in subsection (a) of that section has been satisfied with respect to that contract.
SEC. 231. TRANSFER OF RESPONSIBILITY FOR PROCUREMENT OF MISSILE DEFENSE PROGRAMS FROM BALLISTIC MISSILE DEFENSE ORGANIZATION TO MILITARY DEPARTMENTS.

(a) BUDGETING OF MISSILE DEFENSE ACQUISITION PROGRAMS.—Section 224(a) of the Floyd D. Spence National Defense Authorization Act for Fiscal Year 2001 (as enacted into law by Public Law 106-398; 114 Stat. 364A-38) is amended to read as follows:

"(a) BUDGETING OF MISSILE DEFENSE PROGRAMS.—Under section 223 of title 10, United States Code, the Secretary of Defense shall be responsible for a ballistic missile defense program to the Secretary of a military department. The criteria established for such a transfer shall, at a minimum, address the following:

(1) Technology.

(2) The Secretary of Defense shall ensure that, before a ballistic missile defense program is transferred from the Director of the Ballistic Missile Defense Organization to the Secretary of a military department, the Secretary of Defense shall submit to the congressional defense committees notice in writing of the Secretary's intent to make that transfer. The Secretary shall include a certification that the program has met the criteria established under subsection (a) for such a transfer. The transfer may then be carried out after the end of the 60-day period beginning on the date of such notice.

(3) The Secretary of Defense shall ensure that, before a ballistic missile defense program is transferred from the Director of the Ballistic Missile Defense Organization to the Secretary of a military department, roles and responsibilities for research, development, test, and evaluation related to system improvements for that program are clearly defined.

(4) The Committee on Armed Services and the Committee on Appropriations of the House of Representatives.

(b) REPEAL.—The provisions of subsection (a) of section 224 of title 10, United States Code, are repealed.

(c) NOTIFICATION OF TRANSFER.—Before responsibility for a ballistic missile defense program is transferred from the Director of the Ballistic Missile Defense Organization to the Secretary of a military department, the Secretary of Defense shall be responsible for a ballistic missile defense program to the Secretary of a military department. The criteria established for such a transfer shall, at a minimum, address the following:

(1) Technology.

(2) Ballistic Missile Defense System.

(3) Terminal Defense Segment.

(4) Midcourse Defense Segment.

"(b) REPEAL.—The provisions of subsection (a) of section 224 of title 10, United States Code, are repealed.

(1) Technology.

(2) Ballistic Missile Defense System.

(3) Terminal Defense Segment.

(4) Midcourse Defense Segment."
“(5) Boost Defense Segment.

“(6) Sensors Segment.”

(b) ADDITIONAL REQUIREMENTS.—Subsection (b) of such section is amended to read as follows:—

“(b) SEPARATE PROGRAM ELEMENTS FOR PROGRAMS ENTERING ENGINEERING AND MANUFACTURING DEVELOPMENT.—(1) The Secretary of Defense shall ensure that each ballistic missile defense program that enters engineering and manufacturing development is assigned a separate, dedicated program element.

“(2) In this subsection, the term ‘engineering and manufacturing development’ means the development phase whose primary objectives are to—

“(A) translate the most promising design approach into a stable, interoperable, producible, supportable, and cost-effective design; and

“(B) validate the manufacturing or production process; and

“(C) demonstrate system capabilities through testing.

(c) REQUIREMENT FOR ANNUAL PROGRAM GOALS.—(1) The Secretary of Defense shall each year establish cost, schedule, testing, and performance goals for the ballistic missile defense programs of the Department of Defense for the period covered by the future-years defense program that is submitted to Congress that year under section 221 of title 10, United States Code.

(Not later than February 1 each year, the Secretary shall submit to the congressional defense committees a statement of the goals so established.

(2) The statement of goals submitted under paragraph (1) for any year after 2002 shall be an update of the statement submitted under that paragraph for the preceding fiscal year.

(3) Each statement of goals submitted under paragraph (1) shall set forth cost, schedule, testing, and performance goals that pertain to each functional area program element identified in subsection (a), and each program element identified in subsection (b), of section 223 of title 10, United States Code.

(d) ANNUAL PROGRAM PLAN.—(1) With the submission of the statement of goals under subsection (c) for any year, the Secretary of Defense shall submit to the congressional defense committees a program of activities planned to be carried out for each missile defense program that enters engineering and manufacturing development under section 223(b)(2) of title 10, United States Code, as added by subsection (b).

(2) Each program plan under paragraph (1) shall include the following:

(A) A funding profile that includes an estimate of—

(i) the total expenditures to be made in the fiscal year in which the plan is submitted and the following fiscal year, together with the estimated total life-cycle costs of the program; and

(ii) a display of such expenditures (shown for significant procurement, construction, and research and development) for the fiscal year in which the plan is submitted and the following fiscal year.

(B) A program schedule for the fiscal year in which the plan is submitted and the following fiscal year for each of the following:

(i) Significant procurement.

(ii) Construction.

(iii) Research and development.

(iv) Test.

(v) Other significant testing activities.

(3) Information specified in paragraph (2) need only be specified under paragraph (a) of subsection (c) and the annual program plan under subsection (d); and

(4) Provide to the Secretary of Defense and the Director of the Ballistic Missile Defense Organization any comments on such matters as considered appropriate.

(2) Paragraph (1) applies with respect to the following:

(A) The Under Secretary of Defense for Acquisition, Technology, and Logistics.

(B) The Director of Operational Test and Evaluation.

(C) The Director of Program Analysis and Evaluation.

(D) The Joint Requirements Oversight Council.


(f) DEMONSTRATION OF CRITICAL TECHNOLOGIES.—(1) The Director of the Ballistic Missile Defense Organization shall develop a plan for ensuring that each critical technology for a missile defense program is successfully demonstrated in an appropriate environment before that technology enters into operational service as part of a missile defense program.

(2) The Director of Operational Test and Evaluation of the Department of Defense shall monitor the development under the development plan under paragraph (1) and shall submit to the Director of the Ballistic Missile Defense Organization any comments regarding that plan that the Director of Operational Test and Evaluation considers appropriate.

(g) COMPTROLLER GENERAL ASSESSMENT.—(1) At the conclusion of each of fiscal years 2002 and 2003, the Comptroller General of the United States shall assess the extent to which the Ballistic Missile Defense Organization achieved the goals established under subsection (c) for such fiscal year.

(2) Not later than February 15, 2003, and February 15, 2004, the Comptroller General shall submit to the congressional defense committees a report on the assessment under paragraph (1) with respect to the preceding fiscal year.

(h) ANNUAL OT&E ASSESSMENT OF TEST PROGRAM.—(1) The Director of Operational Test and Evaluation shall each year assess the adequacy and sufficiency of the Ballistic Missile Defense Organization test program during the preceding fiscal year.

(2) Not later than February 15 each year the Director shall submit to the congressional defense committees a report on the assessment under paragraph (1) with respect to the preceding fiscal year.

SEC. 233. SUPPORT OF BALLISTIC MISSILE DEFENSE ACTIVITIES OF THE DEPARTMENT OF ENERGY.

(A) FUNDS TO CARRY OUT CERTAIN BALLISTIC MISSILE DEFENSE ACTIVITIES.—Of the amounts authorized to be appropriated to the Department of Defense pursuant to section 201(4), $25,000,000 shall be available, subject to subsection (b) and at the discretion of the Director of the Ballistic Missile Defense Organization, for research, development, and demonstration activities at the national laboratories of the Department of Energy in support of the missions of the Ballistic Missile Defense Organization, including the following activities:

(1) Technology development, concept demonstration, and integrated testing to enhance performance, reduce risk, and improve reliability in hit-to-kill interceptors for ballistic missile defense.

(2) Support for science and engineering teams to perform technical problems and prudent alternative approaches as agreed upon by the Director of the Ballistic Missile Defense Organization and the Administrator for Nuclear Security.

(b) REQUIREMENT FOR MACHINERY FUND FROM NNSS.—Funds shall be available as provided in subsection (a) only if the Administrator for Nuclear Security makes available matching funds for the activities referred to in subsection (a).

(c) MEMORANDUM OF UNDERSTANDING.—The agreements referred to in paragraph (a) shall be carried out under the memorandum of understanding entered into by the Secretary of Energy and the Secretary of Defense for the use of national laboratories in support of missile defense programs, as required by section 3131 of the National Defense Authorization Act for Fiscal Year 1996 (Public Law 104–106, 110 Stat. 122) and expanded pursuant to section 3132 of the Floyd D. Spence National Defense Authorization Act for Fiscal Year 2001 (as enacted into law by Public Law 106–386, 114 Stat. 1654–455).

SEC. 234. MISSILE DEFENSE TESTING INITIATIVE.

(1) TESTING INFRASTRUCTURE.—(1) The Secretary of Defense shall ensure that each annual budget request of the Department of Defense—

(A) is designed to provide for comprehensive testing of ballistic missile defense programs during early stages of development; and

(B) includes necessary funding to support and improve test infrastructure and provide adequate test assets for the testing of such programs.

(2) The Secretary shall ensure that ballistic missile defense programs incorporate, to the greatest possible extent, operationally realistic test configurations (referred to as “test bed” configurations) to demonstrate systems performance across a broad range of applicable threats, and, during final stages of operational testing, to demonstrate reliable performance.

(3) The Secretary shall ensure that the test infrastructure for ballistic missile defense programs is capable of supporting continued testing of ballistic missile defense systems after deployment.

(b) REQUIREMENTS FOR EARLY STAGES OF SYSTEM DEVELOPMENT.—In order to demonstrate acceptable risk and developmental stability, the Secretary of Defense shall ensure that any ballistic missile defense program incorporates, to the maximum extent practicable, the following elements during the early stages of system development:

(1) Pursuit of parallel conceptual approaches and technological paths for all critical problem-atic components until effective and reliable solutions are demonstrated.

(2) Comprehensive ground testing in conjunction with flight-testing for key elements of the proposed system that are considered to present high risk, with such testing to include use of existing facilities and combinations of facilities that support testing at the highest possible levels of integration.

(3) Where appropriate, expenditures to enhance the capabilities of existing test facilities, or to construct new test facilities, to support alternative complementary test methodologies.

(c) SUFFICIENT FUNDING FOR TEST INSTRUMENTATION TO ENSURE ACCURATE MEASUREMENT OF ALL CRITICAL TEST EVENTS.

(5) Incorporation into the program of sufficient schedule flexibility and expendable test assets, including missile interceptors and targets, to ensure that failed or aborted tests can be repeated in a prudent, but expeditious manner.

(6) Incorporation into the test plan for the program, where possible, of—

(A) methods that make the most cost-effective use of test opportunities; and

(B) demonstration of engagement of multiple targets, “shoot–look–shoot”, and other planned operational concepts; and

(C) exploitation of opportunities to facilitate early development and demonstration of “family of systems” concepts.

(d) SPECIFIC REQUIREMENTS FOR GROUND-BASED MID-COURSE INTERCEPTOR SYSTEMS.—In order for ground-based mid-course interceptors systems, the Secretary of Defense shall initiate steps during fiscal year 2002 to establish a
flight-test capability of launching not less than three missile defense interceptors and not less than two ballistic missile targets to provide a realistic test infrastructure.

SEC. 235. CONDUCT OF TEST BED FACILITIES FOR MISSILE DEFENSE SYSTEM. (a) AUTHORITY TO ACQUIRE OR CONSTRUCT FACILITIES.—(1) The Secretary of Defense, using funds appropriated to the Department of Defense for research, development, test, and evaluation for fiscal years after fiscal year 2001 that are available for programs of the Ballistic Missile Defense Organization, may carry out or construct projects, or portions of construction projects, including projects for the acquisition, improvement, or construction of facilities, necessary to establish and operate the Missile Defense System Test Bed.

(2) The authority provided in subsection (a) may be used to acquire, improve, or construct facilities at a total cost not to exceed $500,000,000.

(b) AUTHORITY TO PROVIDE ASSISTANCE TO LOCAL COMMUNITIES.—(1) Subject to paragraph (2), the Secretary of Defense, using funds appropriated to the Department of Defense for research, development, test, and evaluation for fiscal year 2001 that are available for programs of the Ballistic Missile Defense Organization, may provide assistance to local communities to meet the need for increased municipal or community services resulting from the construction, installation, or operation of the Missile Defense System Test Bed Facilities. Such assistance may be provided by grant or otherwise.

(2) Assistance may be provided to a community under paragraph (1) only if the Secretary of Defense determines that there is an immediate and substantial increase in the need for municipal or community services or facilities as a direct result of the construction, installation, or operation of the Missile Defense System Test Bed Facilities.

Subtitle D—Air Force Science and Technology for the 21st Century

SEC. 251. SHORT TITLE. This subtitle may be cited as the “Air Force Science and Technology for the 21st Century Act”.

SEC. 252. SCIENCE AND TECHNOLOGY INVESTMENT AND DEVELOPMENT PLANNING.

(a) SENSE OF CONGRESS.—It is the sense of Congress that the Secretary of the Air Force should—

(1) continue and improve efforts to ensure that—

(A) the Air Force science and technology community is represented, and the recommendations of that community are considered, at all levels of program planning and budgetary decisionmaking within the Air Force;

(B) advocacy for science and technology development is institutionalized across all levels of Air Force management in a manner that is not dependent on individuals; and

(C) the value of Air Force science and technology development is made increasingly apparent to the warfighters, by linking the needs of those warfighters to scientific decisions on science and technology development.

(2) Complete and adopt a policy directive that provides for changes in how the Air Force makes science and technology investments with respect to its science and technology development programs and how it carries out those programs.

(3) At least once every five years, conduct a review of the long-term challenges and short-term objectives of the Air Force science and technology programs that is consistent with the review specified in section 252 of the Floyd D. Spence National Defense Authorization Act for Fiscal Year 2001 (as enacted into law by Public Law 106–40, 114 Stat. 1564–40), and the characterization, organization, focus, and content of the science and technology program.

(b) REQUIREMENT.—The Secretary of the Air Force, in cooperation with the National Research Council of the National Academy of Sciences, shall carry out a study to determine how the changes to the Air Force science and technology program implemented during the past two years affect the future capabilities of the Air Force.

SEC. 253. STUDY AND REPORT ON EFFECTIVENESS OF AIR FORCE SCIENCE AND TECHNOLOGY PROGRAM CHANGES.

(a) REQUIREMENT.—The Secretary of the Air Force, in cooperation with the National Research Council of the National Academy of Sciences, shall carry out a study to determine how the changes to the Air Force science and technology program implemented during the past two years affect the future capabilities of the Air Force.

(b) MATTERS STUDIED.—(1) The study shall review and assess whether such changes as a whole are sufficient to ensure the following:

(A) That the concerns about the management of the science and technology program that have been raised by Congress, the Defense Science Board, the Office of Science and Technology Policy, and the Air Force Association have been adequately addressed.

(B) That appropriate and sufficient technology is available to ensure the military superiority of the United States and counter future high-risk threats.

(C) That the science and technology investments are balanced to meet the near-, mid-, and long-term needs of the Air Force.

(D) That technologies are made available that can be used to respond flexibly and quickly to a wide range of future threats.

(E) That the Air Force organizational structure provides for a sufficiently senior level of science and technology to ensure an ongoing, effective presence of the science and technology community during the budget and planning process.

(2) In addition, the study shall assess the specific changes to the Air Force science and technology program as follows:

(A) Whether the scientific and technology summits provide sufficient visibility into, and understanding and appreciation of, the value of the science and technology program to the senior leadership of Air Force budget and policy decisionmakers.

(B) Whether the applied technology councils are effective in contributing the input of all levels of stakeholders for such actions as development, organizational focus, and content of the science and technology program.

(3) Whether the designation of the commander of the Air Force Material Command as the science and technology budget advocate is effective to ensure that an adequate Air Force science and technology program has priority.

(C) Whether the revised development planning process is effective in aid in the coordination of the needs of the Air Force warfighters with decisions on science and technology investments and the establishment of priorities among different science and technology programs.

(E) Whether the implementation of section 252 of the Floyd D. Spence National Defense Authorization Act for Fiscal Year 2001 (10 U.S.C. 120f) is effective to identify the basis for the appropriate science and technology program funding level and development.

(C) REPORT.—Not later than May 1, 2003, the Secretary of the Air Force shall submit to Congress the results of the study.

Subtitle E—Other Matters

SEC. 261. ESTABLISHMENT OF UNMANNED AERIAL VEHICLE JOINT OPERATIONAL TEST BED SYSTEM.

(a) ESTABLISHMENT OF TEST BED SYSTEM.—The commander of the United States Joint Forces Command may carry out a demonstration project to increase access to Navy facilities of small unmanned aerial vehicles currently undergoing operational testing by the Navy, together with associated payloads and antennas and the associated tactical control system (TCS) ground station.

(b) PROJECT ELEMENTS.—In carrying out the demonstration project, the Secretary shall—

(1) establish and operate a Navy Technology Extension Center at a location to be selected by the Secretary; and

(2) permit participants in the Small Business Innovation Research Program (SBIR) and Small Business Technology Transfer Program (STTR) that are awarded contracts by the Office of Naval Research to access and use a Joint Unmanned Vehicle System Test Bed in the Facilities and Resources of that Department of Defense customer are charged; and
(3) permit universities, institutions of higher learning, and federally funded research and development centers collaborating with participants referred to in paragraph (2) to access and use such facilities for such purposes, and charge such entities for such access and use at such rates.

(c) PERIOD OF PROJECT.—The demonstration project shall be carried out during the three-year period beginning on the date of the enactment of this Act.

(d) REPORT.—Not later than February 1, 2004, the Secretary shall submit to Congress a report on the demonstration project. The report shall include a description of the activities carried out under the demonstration project and any recommendations for the improvement or expansion of the demonstration project that the Secretary considers appropriate.

SEC. 263. COMMUNICATION OF SAFETY CONCERNS FROM OPERATIONAL TEST AND EVALUATION OFFICIALS TO PROGRAM MANAGERS.

Section 139 of title 10, United States Code, is amended—

(1) by redesignating subsections (f) through (i) as subsections (g) through (j), respectively; and

(2) by inserting after subsection (e) the following new subsection:

“(f) The Director shall ensure that safety concerns developed during the operational test and evaluation of a weapon system under a major defense acquisition program are communicated in a timely manner to the program manager for that program for consideration in the acquisition decisionmaking process.”.

TITLE III—OPERATION AND MAINTENANCE

Subtitle A—Authorization of Appropriations

Sec. 301. Operation and maintenance funding.

Sec. 302. Working capital funds.

Sec. 303. Armed Forces Retirement Home.

Sec. 304. Transfer from National Defense Stockpile Transaction Fund.

Sec. 305. Funds for renovation of Department of Veterans Affairs facilities adjacent to Naval Training Center, Great Lakes, Illinois.

Sec. 306. Defense Language Institute Foreign Language Center expanded Arabic language program.

Subtitle B—Environmental Provisions

Sec. 311. Inventory of unexploded ordnance, discarded military munitions, and munitions constituents at defense sites (other than operational ranges).

Sec. 312. Establishment of new program element for remediation of unexploded ordnance, discarded military munitions, and munitions constituents.

Sec. 313. Assessment of environmental remediation of unexploded ordnance, discarded military munitions, and munitions constituents.

Sec. 314. Conformity of surety authority under environmental restoration program with surety authority under EJSA.

Sec. 315. Elimination of annual report on contractor reimbursement for costs of environmental response actions.

Sec. 316. Pilot program for sale of air pollution emission reduction incentives.

Sec. 317. Department of Defense energy efficiency program.

Sec. 318. Procurement of alternative fueled and hybrid light duty trucks.

Sec. 319. Reimbursement of Environmental Protection Agency for certain costs in connection with Reserve Zone Sands Site, South Berwick, Maine.

Sec. 320. River mitigation studies.

Subtitle C—Commissaries and Nonappropriated Fund Instrumentalities

Sec. 331. Commissary benefits for new members of the Ready Reserve.

Sec. 332. Reimbursement for use of commissary facilities by military departments for purposes other than commissary sales.

Sec. 333. Public releases of commercially valuable information of commissary stores.

Sec. 334. Rebate agreements with producers of foods provided under special supply programs.

Sec. 335. Civil recovery for nonappropriated fund instrumentality costs related to mishandling or pilfering.

Subtitle D—Workforce and Depot Issues

Sec. 341. Revision of authority to waive limitation on performance of depot-level maintenance.


Sec. 343. Protections for purchasers of articles and services manufactured or performed by working-capital funded industrial facilities of the Department of Defense.

Sec. 344. Revision of deadline for annual report on commercial and industrial activities.

Sec. 345. Pilot manpower reporting system in Department of the Army.

Sec. 346. Development of Army workload and performance system and Wholesale Logistics Modernization Program.

Subtitle E—Defense Dependents Education

Sec. 351. Assistance to local educational agencies that benefit dependents of members of the Armed Forces and Department of Defense civilian employees.

Sec. 352. Impact aid for children with severe disabilities.

Sec. 353. Assistance to local educational agencies of defense dependents’ education system for dependents who are home school students.

Sec. 354. Comprehensive General study of adequacy of compensation provided for teachers in the Department of Defense overseas dependents’ schools.

Subtitle F—Other Matters

Sec. 361. Availability of excess defense personal property to support Department of Veterans Affairs initiative to assist homeless veterans.

Sec. 362. Incremental implementation of Navy-Marine Corps Intranet contract.

Sec. 363. Comptroller General study and report on National Guard Distributive Training Technology Project.

Sec. 364. Reauthorization of warranty claims recovery pilot program.

Sec. 365. Evaluation of current demonstration programs to improve quality of personal property shipments of members.

Sec. 366. Sense of Congress regarding security to be provided at 2002 Winter Olympic Games.

Subtitle A—Authorization of Appropriations

SEC. 301. OPERATION AND MAINTENANCE FUND.

(a) AUTHORIZATION OF APPROPRIATIONS.—Funds are hereby authorized to be appropriated for fiscal year 2002 from the Armed Forces Retirement Home Trust Fund the sum of $71,440,000 for the operation of the Armed Forces Retirement Home.

(b) AVAILABLE AMOUNT FOR FISCAL YEAR 2002.—Funds are hereby authorized to be appropriated for fiscal year 2002 from the Armed Forces Retirement Home Trust Fund the sum of $71,440,000 for the operation of the Armed Forces Retirement Home.

Sec. 302. WORKING CAPITAL FUNDS.

Sec. 303. ARMED FORCES RETIREMENT HOME.

Sec. 304. TRANSFER FROM NATIONAL DEFENSE STOCKPILE TRANSACTION FUND.
(1) For the Army, $50,000,000.
(2) For the Navy, $50,000,000.
(3) For the Air Force, $50,000,000.

(b) TREATMENT OF TRANSFERS.—Amounts transferred under this section—

(1) shall be merged with, and be available for the same purposes and the same period as, the amounts in the accounts to which transferred; and

(2) may not be expended for an item that has been denied authorization of appropriations by Congress.

(c) RELATIONSHIP TO OTHER TRANSFER AUTHORITY.—The transfer authority provided in this section is in addition to the transfer authority provided in section 1001.

SEC. 305. FUNDS FOR RENOVATION OF DEPARTMENT OF VETERANS AFFAIRS FACILITIES ADJACENT TO NAVAL TRAINING CENTER, GREAT LAKES, ILLINOIS.

(a) AVAILABILITY OF FUNDS FOR RENOVATION.—Subject to subsection (b), of the amount authorized to be appropriated by section 301(a)(2) for operation and maintenance for the Navy, the Secretary of the Navy may make available to the Secretary of Veterans Affairs up to $2,000,000 for renovation of Department of Veterans Affairs activities and associated renovation of existing facilities at the North Chicago Department of Veterans Affairs Medical Center, Illinois.

(b) LIMITATION.—The Secretary of the Navy may make funds available under subsection (a) only after the Secretary of the Navy and the Secretary of Veterans Affairs enter into an appropriate agreement for the use by the Secretary of the Navy of approximately 48 acres of real property at the North Chicago Department of Veterans Affairs Medical Center referred to in subsection (a) for expansion of the Naval Training Center, Great Lakes, Illinois.

SEC. 306. DEFENSE LANGUAGE INSTITUTE FOR FOREIGN LINGUISTIC CENTER EXPANDED ARABIC PROGRAM.

Of the amount authorized to be appropriated by section 301(a)(1) for operation and maintenance for the Army, $650,000 may be available for the Defense Language Institute Foreign Language Center for an expanded Arabic language program.

Subtitle B—Environmental Provisions

SEC. 311. INVENTORY OF UNEXPLDED ORD-NANCE, DISCARDED MILITARY MUNI-TIONS, AND MUNITIONS CONSTITUENTS AT DEFE-NSE SITES OTHER THAN OPERATIONAL RANGES.

(a) INVENTORY REQUIRED.—(1) Chapter 169 of title 10, United States Code, is amended by adding at the end of section 1691 a new section 1691A to read as follows:

"§2710. Inventory of unexploded ordnance, discarded military munitions, and munitions constituents at defense sites (other than operational ranges).

(a) INVENTORY REQUIRED.—(1) The Secretary of Defense shall develop and maintain an inventory of defense sites that are known or suspected to contain unexploded ordnance, discarded military munitions, or munitions constituents.

(2) The information in the inventory for each defense site shall include, at a minimum, the following:

(A) A unique identifier for the defense site.

(B) An appropriate record showing the location, boundaries, and extent of the defense site, including identification of the State and political subdivisions of the State in which the defense site is located and any Tribal lands encompassed by the defense site.

(C) Known persons and entities, other than a military department, with any current ownership interest or control of lands encompassed by the defense site.

(D) Any restrictions or other land use controls currently in place at the defense site that might affect the potential for public and enviro-

mental exposure to the unexploded ordnance, discarded military munitions, or munitions constituents.

(b) SITE PRIORITIZATION.—(1) The Secretary shall develop a prioritization scheme that assigns priorities to sites within the State and District of Columbia based on the risk to the public and the environment presented by munitions, munitions constituents, or munitions constituents associated with munitions constituents based on the overall conditions at the defense site. After public notice and comment on the proposed protocol, the Secretary shall issue a final protocol and shall apply the protocol to defense sites listed on the inventory. The level of response priority assigned the site shall be included with the information required by subsection (a).

(2) In assigning the response priority for a defense site on the inventory, the Secretary shall primarily consider factors relating to safety and environmental hazard potential, such as the following:

(A) Whether there are known, versus suspected, unexploded ordnance, discarded military munitions, or munitions constituents on all or any portion of the defense site and the types of unexploded ordnance, discarded military munitions, or munitions constituents present or suspected to be present at the defense site.

(B) Whether public access to the defense site is controlled, and the effectiveness of these controls.

(C) The potential for direct human contact with unexploded ordnance, discarded military munitions, or munitions constituents at the defense site and evidence of people entering the site.

(D) Whether a response action has been or is being undertaken at the defense site under the Nuclear Waste Policy Act of 1982 (42 U.S.C. 10301 et seq.) or the Energy Reorganization Act of 1974 (42 U.S.C. 2011 et seq.) or other federal laws.

(E) The planned or mandated dates for transfer of the defense site from military control.

(F) The extent of contamination involving unexploded ordnance, discarded military munitions, or munitions constituents at or from the defense site, including incidents involving explosions, discoveries, injuries, reports, and investigations.

(G) The potential for drinking water contamination or the release of munitions constituents into the air.

(H) The potential for destruction of sensitive ecosystems and damage to natural resources.

(3) The prioritization of defense sites included on the inventory shall not include any defense site that is not controlled, and the effectiveness of these controls.

(4) The Secretary shall work with communities adjacent to a defense site to provide information concerning sites at the site and response activities. At a minimum, the Secretary shall provide the site prioritization list to appropriate Federal, State, tribal, and local officials, and, to the extent the Secretary considers appropriate, to civil defense or emergency management agencies and the public.

(c) UPDATES AND AVAILABILITY.—(1) The Secretary shall annually update the inventory and site prioritization list to reflect new information that becomes available. The inventory shall be available in published and electronic form.

(2) The Secretary shall work with communities adjacent to a defense site to provide information concerning conditions at the site and response activities. At a minimum, the Secretary shall provide the site prioritization list to appropriate Federal, State, tribal, and local officials, and, to the extent the Secretary considers appropriate, to civil defense or emergency management agencies and the public.

(3) EXCEPTIONS.—This section does not apply to the following:

(A) Any locations outside the United States.

(B) The presence of munitions constituents resulting from combat operations.

(C) Operating storage and manufacturing facilities.

(D) Operational ranges.

(e) DEFINITIONS.—In this section:

(1) The term ‘‘defense site’’ applies to locations that are or were owned by, leased to, or otherwise possessed or used by the Department of Defense. The term does not include any operational range, operating storage or manufacturing facility, or facility that is used for or was permitted for the treatment or disposal of military munitions.

(2) The term ‘‘discarded military munitions’’ means military munitions that have been abandoned without proper disposal or removed from storage in a military magazine or other storage area for the purpose of disposal. The term does not include unexploded ordnance, military munitions that are being held for future use or planned disposal, or military munitions that have been properly disposed of, consistent with applicable environmental laws and regulations.

(3)(A) The term ‘‘military munitions’’ means all munitions, munitions constituents, and components produced for or used by the armed forces for national defense and security, including ammunition products and components under the control of the Department of Defense, the Coast Guard, the Department of Energy, and the National Guard. The term includes confined gaseous, liquid, and solid propellants, explosives, pyrotechnics, chemical and riot control agents, smoke, and incendiaries, including bulk explosives and chemical warfare agents, chemical munitions, rockets, guided and ballistic missiles, bombs, mortars, mortars mortar rounds, small arms ammunition, grenades, mines, torpedoes, deep charges, cluster munitions and dispensers, demolition charges, and devices and components thereof.

(3) The term does not include wholly inert items, improvised explosive devices, and nuclear weapons, nuclear devices, and nuclear components, except that the term does include non-nuclear components of nuclear devices that are managed under the nuclear weapons program of the Department of Energy after all required safeguards operations are completed.

(5) The term ‘‘munitions constituents’’ means any materials originating from unexploded ordnance, discarded military munitions, or other military munitions, including explosive and nonexplosive materials, and emission, degradation, or breakdown elements of such ordnance or munitions.

(6) The term ‘‘operational range’’ means a military range that is used for range activities, or a military range that is not currently being used, but that is still considered by the Secretary to be a range area, is under the jurisdiction, custody, or control of the Department of Defense, and has no current use that is incompatible with range activities.

(7) The term ‘‘possessions’’ includes Johnston Atoll, Kingman Reef, Midway Island, Nauru Island, Palmyra Island, and Wake Island.

(8) The term ‘‘Secretary’’ means the Secretary of Defense.

(9) The term ‘‘State’’ means the several States, the District of Columbia, the Commonwealth of Puerto Rico, the Commonwealth of the Northern Mariana Islands, and the territories and possessions.

(10) The term ‘‘unexploded ordnance’’ means military munitions that—

(A) have been primed, fused, armed, or otherwise prepared for action;

(B) have been fired, dropped, launched, projected, or placed in such a manner as to constitute a hazard to operations, installations, personnel, or material; and

(C) remain unexploded either by malfunction, design, or any other cause.

(11) The term ‘‘United States’’, in a geographic sense, means the States, territories, and possessions and associated armed and associated navigable waters, contiguous zones, and ocean waters of which the natural resources are under the exclusive management authority of the United States.’’.

SUBTITLE C—ECONOMIC SECURITY AND WORKFORCE DEVELOPMENT

Section 312. Economic Security and Workforce Development.
SEC. 311. ESTABLISHMENT OF NEW PROGRAM ELEMENT FOR REMEDIATION OF UNEXPLODED ORDNANCE, DISCARDED MILITARY MUNITIONS, AND MUNITIONS CONSTITUENTS.

Section 2703 of title 10, United States Code, is amended—

(1) by redesignating subsections (b) through (f) as subsections (c) through (g), respectively; and

(2) by inserting after subsection (a) the following new subsection (b):

"(b) PROGRAM ELEMENTS FOR ORDNANCE REMEDIATION.—The Secretary of Defense shall establish and implement a program for the remediation of unexploded ordnance, discarded military munitions, and munitions constituents located at current and former facilities, as authorized by section 351 of the National Defense Authorization Act for Fiscal Year 2002 (10 U.S.C. 2701 note) is amended by striking "", or after December 31, 1999"."

SEC. 312. ASSESSMENT OF ENVIRONMENTAL REMEDIATION OF UNEXPLODED ORDNANCE, DISCARDED MILITARY MUNITIONS, AND MUNITIONS CONSTITUENTS.

(a) INCLUSION IN 2003 REPORT ON ENVIRONMENTAL ACTIVITIES.—The Secretary of Defense shall include in the report submitted to Congress under section 2706(a) of title 10, United States Code, for 2003 a comprehensive assessment of unexploded ordnance, discarded military munitions, and munitions constituents located at current and former facilities of the Department of Defense. The assessment shall include, at a minimum, the following:

(1) Separate estimates of the aggregate projected costs of the remediation of unexploded ordnance, discarded military munitions, and munitions constituents at—

(A) all operational ranges; and

(B) other defense sites.

(2) A comprehensive plan for addressing the remediation of unexploded ordnance, discarded military munitions, and munitions constituents at defense sites, including an assessment of the funding required and the period of time over which such funding will be required.

(3) An assessment of the technology currently available for the remediation of unexploded ordnance, discarded military munitions, and munitions constituents.

(4) An assessment of the impact of improved technology on the cost of remediating and a plan for the development and use of such improved technology.

(b) REQUIREMENTS FOR COST ESTIMATES.—(1) The estimates of aggregate projected costs required by subsection (a)(1) shall—

(A) be stated as a range of aggregate projected costs, including a low estimate and a high estimate; and

(B) set forth the differing assumptions underlying each such low estimate and high estimate, including—

(i) any public uses for the operational ranges and other defense sites concerned that will be available after the remediation is completed; and

(ii) the extent of the contamination. The Secretary shall prepare to make the operational ranges and other defense sites concerned available for such uses; and

(iii) the technologies to be applied to achieve such level of remediation; and

(C) include, and identify separately, an estimate of the aggregate projected costs of the remediation of operational ranges that may be caused by unexploded ordnance, discarded military munitions, or munitions constituents at the operational ranges and other defense sites concerned.

(2) The high estimate of the aggregate projected costs shall be based on the assumption that all unexploded ordnance, discarded military munitions, and munitions constituents at each operational range and other defense site will be addressed, regardless of whether there are any current plans to close the range or site or discontinue training at the range or site.

(3) The estimate of the aggregate projected costs of remediation of ground water contamination under paragraph (1)(C) shall be based on a comprehensive assessment of the risk of such contamination and of the actions required to protect the ground water supplies concerned.

(4) The standards for the report of liabilities of the Department of Defense shall not apply to the cost estimates required by subsection (a)(1)."

SEC. 313. CONFORMITY OF SURETY AUTHORITY UNIFORM NATIONAL REMEDIATION AND RESTORATION PROGRAM WITH SURETY AUTHORITY UNDER CERCLA.

Section 2701(j)(1) of title 10, United States Code, is amended by striking "", or after December 31, 1999".

SEC. 314. ELIMINATION OF ANNUAL REPORT ON CONTRACTOR REIMBURSEMENT FOR COSTS OF ENVIRONMENTAL RESPONSIVE ACTIONS.

(a) REPORT ELIMINATION.—Section 2706 of title 10, United States Code, is amended—

(1) by striking subsection (c); and

(2) by redesignating paragraphs (d) and (e) as subsections (c) and (d), respectively.

(b) AMENDMENTS.—Subsection (d) of such section, as redesignated by subsection (a) of this section, is amended—

(1) by striking paragraphs (1) and (3); and

(2) by redesignating paragraphs (3), (4), and (5) as paragraphs (1), (2), and (3), respectively.

SEC. 315. PILOT PROGRAM FOR SALE OF AIR POLUTION EMISSION REDUCTION INCENTIVES.


(b) REPORT REQUIRED.—(1) The Secretary of Defense shall prepare a report concerning the operation of the pilot program for the sale of economic incentives for the reduction of emissions of air pollutants attributable to military facilities, as required by section 351 of the National Defense Authorization Act for Fiscal Year 1998 (Public Law 105-85; 10 U.S.C. 2701 note).

(2) The report shall—

(A) detail the conditions that have been completed under the pilot program, the dollar amount of each transaction, and the number and type of air pollutants involved in each transaction; and

(B) evaluate the extent to which retention of the proceeds of sales under the pilot program, as required by subsection (c) of such section, has provided incentives for such sales;

(C) evaluate the extent of any loss to the United States Treasury associated with the pilot program;

(D) evaluate the environmental impact of the pilot program.

(2) Not later than March 1, 2002, the Secretary shall submit the report required by paragraph (1) to the Committee on Energy and Commerce and the Committee on Armed Services of the House of Representatives and the Committee on Environment and Public Works and the Committee on Armed Services of the Senate.

SEC. 317. DEPARTMENT OF DEFENSE ENERGY EFFICIENCY Pilot Program.

(a) SENSE OF CONGRESS.—It is the sense of Congress that the Secretary of Defense should work to implement fuel efficiency reforms and strategies that will reduce the direct costs of delivered fuel, strengthen the linkage between warfighting capability and fuel logistics requirements, provide high-level leadership encouraging energy conservation through science and technology investment, and include fuel efficiency in requirements and acquisition processes.

(b) PILOT PROGRAM.—The Secretary shall carry out a program to significantly improve the energy efficiency of facilities of the Department of Defense through 2010. The Secretary shall designate a senior official of the Department of Defense to be responsible for managing the program for the Department and a senior official of each military department to be responsible for managing the program for such department.

(c) ENERGY EFFICIENCY GOALS.—The goal of the energy efficiency program shall be to achieve reductions in energy consumption by facilities of the Department of Defense as follows:

(1) In the case of industrial and laboratory facilities, reductions in the energy consumption per square foot of such facilities, per unit of production or other applicable unit, relative to energy consumption in 1990—

(A) by 29 percent by 2005; and

(B) by 25 percent by 2010.

(2) In the case of other facilities, reductions in average energy consumption per gross square foot of such facilities, relative to energy consumption per gross square foot in 1995—

(A) by 20 percent by 2005; and

(B) by 35 percent by 2010.

(d) STRATEGIES FOR IMPROVING ENERGY EFFICIENCY.—In order to achieve the goals set forth in section (c), the Secretary shall, to the maximum extent practicable—

(1) purchase energy-efficient products, as so designated by the Environmental Protection Agency, the Department of Defense, and other products that are energy-efficient;

(2) utilize energy savings performance contracts, utility energy-efficiency service contracts, and other contracts designed to achieve energy conservation;

(3) use life-cycle cost analysis, including assessments of life-cycle energy costs, in making decisions about investments in products, services, construction, and other projects;

(4) conduct energy efficiency audits for all facilities, and require all Department of Defense facilities each year;

(5) explore opportunities for energy efficiency in industrial facilities for steam systems, boiler systems, industrial processes, and fuel switching; and

(6) revise inefficient equipment on an accelerated basis where replacement results in lower life-cycle costs.

(e) REPORTING REQUIREMENTS.—Not later than January 1, 2002, and each January 1 thereafter through 2010, the Secretary shall submit to the congressional defense committees the report required to be prepared by the Secretary pursuant to section 303 of Executive Order 13123 (64 FR 18341, April 13, 2001) regarding the progress made toward achieving the energy efficiency goals of the Department of Defense.
SEC. 318. PROCUREMENT OF ALTERNATIVE FUELED AND HYBRID LIGHT DUTY TRUCKS.

(a) DEFENSE FLEETS NOT COVERED BY REQUIREMENT IN ENERGY POLICY ACT OF 1992.—(1) The Secretary of Defense shall coordinate with the Administrator of General Services to ensure that any hybrid electric or alternative fueled light duty trucks that are procured by the Administrator for the Department of Defense fleet of light duty trucks that is not in a fleet of vehicles to which section 303 of the Energy Policy Act of 1992 (42 U.S.C. 13212) applies.

(b) PROCUREMENT OF LIGHT DUTY TRUCKS THAT ARE PROCURED IN EACH FISCAL YEAR FROM 2005 THROUGH 2006.—(1) The term "light duty truck" means a wheeled vehicle that draws propulsion energy from on-board sources of stored energy.

(c) SOURCE OF FUNDS.—Payment of the amount authorized by subsection (a) shall be in full satisfaction of amounts due from the Department of Defense to the Environmental Protection Agency for the response costs described in that subsection.

SEC. 320. RIVER MITIGATION STUDIES.

(a) PORT OF ORANGE, SANIBEL RIVER.—The Secretary of Defense may conduct a study regarding prorated structures and submerged objects remaining from the World War II Naval ship building industry located at the former Navy installation in Orange, Texas, which create navigational hazards along the Sabine River and surrounding the Port of Orange.

(b) PHILADELPHIA NAVAL SHIPYARD, DELAWARE RIVER.—The Secretary of Defense may conduct a study of conducting an assessment of remaining objects relating to the Delaware River from Philadelphia, Pennsylvania, to the mouth of the river which create navigational hazards along the river.

(c) USE OF EXISTING INFORMATION.—In conducting a study authorized by this section, the Secretary of Defense shall take into account any information available from other studies conducted in connection with the same navigation channels.

(d) CONSULTATION.—The Secretary of Defense shall conduct the studies authorized by this section in consultation with appropriate State and local governmental units and Federal agencies.

(e) REPORT ON STUDY RESULTS.—Not later than April 30, 2002, the Secretary of Defense shall submit to the Committee on Armed Services of the Senate a report containing a summary of each study conducted under this section.

SEC. 322. REIMBURSEMENT FOR USE OF COMMISSARY FACILITIES BY MILITARY DEPARTMENTS FOR PURPOSES OTHER THAN COMMISSARY SALES.

(a) REQUIREMENT.—Chapter 147 of title 10, United States Code, is amended by inserting after the item relating to section 2482a the following new item:

"§ 2483. Commissary stores: reimbursement for use of commissary facilities by military departments

"(a) PAYMENT REQUIRED.—The Secretary of a military department shall pay the Defense Commissary Agency the amount determined under subsection (b) for any use of a commissary facility by the military department for a purpose other than commissary sales or operations in support of commissary sales.

"(b) AMOUNT.—The amount payable under subsection (a) for use of a commissary facility by a military department shall be equal to the share of depreciation of the facility that is attributable to that use, as determined under regulations prescribed by the Secretary of Defense.

"(c) COVERED FACILITIES.—This section applies with respect to a commissary facility that is acquired, constructed, converted, repaired, installed, or otherwise improved (in whole or in part) with the proceeds of an adjustment or surcharge applied under section 2480(c) of this title.

"(d) CREDITING OF PAYMENTS.—The Director of the Defense Commissary Agency shall credit amounts paid under this section for use of a facility to an appropriate account to which proceeds of an adjustment or surcharge referred to in subsection (c) are credited."

SEC. 321. REIMBURSEMENT OF ENVIRONMENTAL PROTECTION AGENCY FOR CERTAIN RESPONSE COSTS IN CONNECTION WITH HOOPER SANDS SITE, SOUTH BERWICK, MAINE.

(a) AUTHORITY TO REIMBURSE.—(1) In general.—The Secretary of the Navy may pay $1,005,478 to the Hooper Sands Special Account within the Hazardous Substance Superfund established by section 9030 of the Resource Conservation and Recovery Act of 1976 (42 U.S.C. 9623) to reimburse the Environmental Protection Agency for the response costs incurred by the Environmental Protection Agency for actions taken between May 12, 1992, and July 31, 2000, pursuant to the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9601 et seq.), with the amount specified in paragraph (1) to be used to remediate the Hooper Sands site in South Berwick, Maine, in accordance with the interagency agreement entered into by the Department of the Navy and the Environmental Protection Agency in January 2001.

(b) TREATMENT OF REIMBURSEMENT.—Payment of the amount authorized by subsection (a) shall be in full satisfaction of amounts due from the Department of Defense to the Environmental Protection Agency for the response costs described in that subsection.

SEC. 331. COMMISSARY BENEFITS FOR NEW MEMBERS OF THE READY RESERVE.

(1) The term "alternative fueled vehicle" means a motor vehicle that draws propulsion energy from on-board sources of stored energy that are both: (A) a rechargeable energy storage system.

(c) CONFORMING AMENDMENT.—Subsection (c) of such section, as redesignated by subsection (a)(1), is amended by striking "Subsection (a)" and inserting "Subsections (a) and (b)".

(d) CLERICAL AMENDMENTS.—(1) The heading for this section is amended to read as follows: "§1063. Use of commissary stores: members of Ready Reserve".

(2) Subsection (a) of such section is amended by striking "of Ready Reserve" and inserting "With 30 or More Creditable Points".

(3) The item relating to such section in the table of sections at the beginning of chapter 54 of title 10, United States Code, is amended to read as follows: "1063. Use of commissary stores: members of Ready Reserve".

SEC. 332. REIMBURSEMENT FOR USE OF COMMISSARY FACILITIES BY MILITARY DEPARTMENTS FOR PURPOSES OTHER THAN COMMISSARY SALES.

(a) REQUIREMENT.—Chapter 147 of title 10, United States Code, is amended by inserting after section 2482a the following new section:

"§ 2483. Commissary stores: reimbursement for use of commissary facilities by military departments

"(a) PAYMENT REQUIRED.—The Secretary of a military department shall pay the Defense Commissary Agency the amount determined under subsection (b) for any use of a commissary facility by the military department for a purpose other than commissary sales or operations in support of commissary sales.

"(b) AMOUNT.—The amount payable under subsection (a) for use of a commissary facility by a military department shall be equal to the share of depreciation of the facility that is attributable to that use, as determined under regulations prescribed by the Secretary of Defense.

"(c) COVERED FACILITIES.—This section applies with respect to a commissary facility that is acquired, constructed, converted, repaired, installed, or otherwise improved (in whole or in part) with the proceeds of an adjustment or surcharge applied under section 2480(c) of this title.

"(d) CREDITING OF PAYMENTS.—The Director of the Defense Commissary Agency shall credit amounts paid under this section for use of a facility to an appropriate account to which proceeds of an adjustment or surcharge referred to in subsection (c) are credited."
SEC. 323. PUBLIC RELEASES OF COMMERCIALLY VIABLE INFORMATION FROM COMMISARY STORES.

(a) LIMITATION ON AUTHORITY.—Section 2467 of title 10, United States Code, is amended to read as follows:

“(a) AUTHORITY TO LIMIT RELEASE.—(1) The Secretary of Defense may limit the release to the public of any information described in paragraph (2) if either of the following conditions, respectively, determines that it is in the best interest of the Department of Defense to limit the release of such information. If the Secretary determines to limit the release of any such information, the Secretary may provide for limited release of such information in accordance with subsection (b).

(2) Paragraph (1) applies to the following:

(A) Information contained in the computerized business systems of commissary stores or the Defense Commissary Agency that is collected through or in connection with the use of electronic scanners in commissary stores, including the following information:

(i) Data relating to sales of goods or services.

(ii) Demographic information on customers.

(iii) Any other information pertaining to commissary transactions and operations.

(B) Business programs, systems, and applications, including software (whether mass produced or custom developed) relating to commissary operations that were developed with funding derived from commissary surcharges.

(b) RELEASE AUTHORITY.—(1) The Secretary of Defense may, by contract entered into under this subsection, enter into a contract to sell information described in subsection (a)(2).

(2) The Secretary of Defense may release, without charge, information on an item sold in commissary stores to the manufacturer or producer of that item or an agent of the manufacturer or producer.

(3) The Secretary of Defense may, by contract entered into with a business, grant to the business a license to use business programs referred to in subsection (a)(2), including software used in or comprising any such program. The fee charged for the license shall be based on the costs of similar programs developed and marketed by businesses in the private sector, determined by means of surveys.

(4) Each contract entered into under this subsection shall specify the amount to be paid for information, or a license granted under the contract, as the case may be.

(c) FORM OF RELEASE.—Information described in subsection (a)(2) may not be released under subsection (b) or otherwise in a form that identifies any customer or that provides information making it possible to identify any customer.

(d) RECEIPTS.—Amounts received by the Secretary under this section shall be credited to funds derived from commissary surcharges, shall be merged with those funds, and shall be available for the same purposes as the funds with which granted.

(e) DEFINITION.—In this section, the term ‘‘commissary surcharge’’ means any add-on tax or surcharge applied under section 2465(c) of this title.

SEC. 333. REBATE AGREEMENTS WITH FOOD PRODUCERS PROVIDING UNDER SPECIAL SUPPLEMENTAL FOOD PROGRAM.

Section 1060a of title 10, United States Code, is amended—

(1) by redesignating subsections (e) and (f) as subsections (f) and (g), respectively; and

(2) by inserting after subsection (d) the following new subsection:

“(e) REBATE AGREEMENTS WITH FOOD PRODUCERS.—(1) In the administration of the program under this section, the Secretary of Defense may enter into a contract with a producer of a particular brand of food that provides for—

(A) The Secretary of Defense to procure that particular brand of food from the producer for the same period as the contract for the procurement of that particular brand of food for the program.

(B) the producer to rebate to the Secretary amounts equal to agreed portions of the amounts paid by the Secretary for the procurement of that particular brand of food for the program.

(2) The Secretary of Defense shall enter into a contract under this subsection at the beginning of chapter 147 of title 10, United States Code, as the case may be.

(3) The period covered by a contract entered into under this subsection may not exceed one year. No such contract may be extended by a modification of the contract, by exercise of an option, or by any other means. Nothing in this paragraph may be construed to provide for limited release of such information in accordance with subsection (b).

SEC. 334. CIVIL RECOVERY FOR NON-APPROPRIATED FUND INSTRUMENTATION COSTS RELATED TO SHOP-LIFTING.

Section 370(b)(1)(B) of title 31, United States Code, is amended by inserting before the comma at the end the following: including actual and administrative costs related to shoplifting, theft detection, and theft prevention”.

Subtitle D—Workforce and Depot Issues

SEC. 341. REVISION OF AUTHORITY TO WAIVE LIMITATION ON PERFORMANCE OF DEPOT-LEVEL MAINTENANCE.

Section 2466 of title 10, United States Code, is amended—

(1) by striking subsection (c); and

(2) by inserting after subsection (a) the following new subsections:

“(b) WAIVER OF LIMITATION.—The Secretary of Defense may waive the limitation in subsection (a) for a fiscal year if—

(1) the Secretary determines that the waiver is necessary for reasons of national security; and

(2) the Secretary submits to Congress a notification of the waiver together with the reasons for the waiver.

(c) PROHIBITION ON DELEGATION OF WAIVER AUTHORITY.—The authority to grant a waiver under subsection (b) may not be delegated.”

SEC. 342. EXCLUSION OF CERTAIN EXPENDITURES FROM LIMITATION ON PRIVATE SECTOR PERFORMANCE OF DEPOT-LEVEL MAINTENANCE.

Section 2474 of title 10, United States Code, is amended—

(1) by redesignating subsection (f) as subsection (g);

(2) by inserting after subsection (e) the following new subsection (f):

“(f) EXCLUSION OF CERTAIN EXPENDITURES FROM PERCENTAGE LIMITATION.—Amounts expended out of funds described in paragraph (2) for the performance of a depot-level maintenance and repair workload by non-Federal Government or commercial entities to provide services to the Department of the Army shall not be counted for purposes of applying the percentage limitation in section 2466(a) of this title if the personnel are provided by private industry or other entities outside the Department of Defense pursuant to a public-private partnership.

(3) The words ‘‘funds derived from commissary surcharges, shall be merged with the other funds described in paragraph (2) if the Secretary determines that it is in the best interest of the Department of Defense to limit the release of such information. If the Secretary determines to limit the release of any such information, the Secretary may provide for limited release of such information in accordance with subsection (b).’’ are deleted.

(4) Paragraph (1) applies to the following:

(A) Information contained in the computerized business systems of commissary stores or the Defense Commissary Agency that is collected through or in connection with the use of electronic scanners in commissary stores, including the following information:

(i) Data relating to sales of goods or services.

(ii) Demographic information on customers.

(iii) Any other information pertaining to commissary transactions and operations.

(B) Business programs, systems, and applications, including software (whether mass produced or custom developed) relating to commissary operations that were developed with funding derived from commissary surcharges.

(b) RELEASE AUTHORITY.—(1) The Secretary of Defense may, by contract entered into under this subsection, enter into a contract to sell information described in subsection (a)(2).

(2) The Secretary of Defense may release, without charge, information on an item sold in commissary stores to the manufacturer or producer of that item or an agent of the manufacturer or producer.

(3) The Secretary of Defense may, by contract entered into with a business, grant to the business a license to use business programs referred to in subsection (a)(2), including software used in or comprising any such program. The fee charged for the license shall be based on the costs of similar programs developed and marketed by businesses in the private sector, determined by means of surveys.

(4) Each contract entered into under this subsection shall specify the amount to be paid for information, or a license granted under the contract, as the case may be.

(c) FORM OF RELEASE.—Information described in subsection (a)(2) may not be released under subsection (b) or otherwise in a form that identifies any customer or that provides information making it possible to identify any customer.

(d) RECEIPTS.—Amounts received by the Secretary under this section shall be credited to funds derived from commissary surcharges, shall be merged with those funds, and shall be available for the same purposes as the funds with which granted.

(e) DEFINITION.—In this section, the term ‘‘commissary surcharge’’ means any add-on tax or surcharge applied under section 2465(c) of this title.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 147 of title 10, United States Code, is amended by striking the item relating to section 2467 and inserting the following new item:

‘‘2487. Commissary stores: release of certain commercially viable information to the public.’’.

SEC. 344. REVISION OF DEADLINE FOR ANNUAL REPORT ON COMMERCIAL AND INDUSTRIAL ACTIVITIES.

Section 2461(g) of title 10, United States Code, is amended by striking ‘‘February 1st’’ and inserting ‘‘June 30’’.

SEC. 345. PILOT MANPOWER REPORTING SYSTEM IN DEPARTMENT OF THE ARMY.

(a) ANNUAL REPORTING REQUIREMENT.—Not later than March 1 of each of the fiscal years 2002 through 2004, the Secretary of the Army shall submit to Congress a report describing the use during the previous fiscal year of non-Federal entities to provide services to the Department of the Army.

(b) CONTENT OF REPORT.—Using information available from existing data collection and reporting systems available to the Department of the Army and the non-Federal entities referred to in subsection (a), the report shall—

(1) specify the number of work year equivalents performed by individuals employed by non-Federal entities in providing services to the Department;

(2) categorize the information by Federal supply class or service code; and

(3) indicate the appropriation from which the services were funded and the major organization or program element of the Department procuring the services.

(c) LIMITATION ON REQUIREMENT FOR NON-FEDERAL ENTITIES TO PROVIDE INFORMATION.—For the purposes of paragraphs (1) and (3) of subsection (b), the Secretary of the Army may require the provision of information beyond the information that is currently provided to the Department of the Army by the non-Federal entities referred to in subsection (a), except for the number of work year equivalents associated with Department of the Army contracts, funds provided to the Department of Industrial and Technical Excellence. The extent to which this information is available to the contractor from existing data collection systems.

(d) REPEAL OF OBSOLETE REPORTING REQUIREMENT.—Section 2474 of title 10, United States Code, is amended by striking ‘‘Provisions from Limitation on Private Sector Performance of Depot-Level Maintenance’’.
SEC. 346. DEVELOPMENT OF ARMY WORKLOAD AND PERFORMANCE SYSTEM AND WHOLESALE LOGISTICS MODERNIZATION PROGRAM.

(a) RELATIONSHIP BETWEEN SYSTEMS.—(1) The Army Workload and Performance System, including all applications in the master plan submitted to Congress on June 8, 2001, and any revisions to the master plan, shall be developed in such a manner that its functionality and identity are in compliance with all statutory requirements. The Army Workload and Performance System shall continue as a standard Army-wide manpower system under the supervision and management of the Army.

(2) The requirement in paragraph (1) is intended to encourage the sharing of data between the Army Workload and Performance System, the Wholesale Logistics Modernization Program and the development of the processes necessary to permit or enhance such data sharing.

(b) ANNUAL PROGRESS REPORTS.—(1) Not later than February 1 of each year, the Secretary of the Army shall submit to Congress a progress report on the implementation of the master plan for the systems described in subparagraphs (A) and (B) during the preceding year. The report shall specifically address any changes made to the master plan since the previous report.

(2) The Secretary's requirement shall terminate when the Secretary certifies to Congress that the Army Workload and Performance System is fully implemented.

(c) GAO EVALUATION.—Not later than 60 days after the Secretary of the Army submits to Congress a progress report under subsection (b), the Comptroller General shall submit to Congress an evaluation of the report.

(d) ARMY WORKLOAD AND PERFORMANCE SYSTEM DEFINED.—The term ‘Army Workload and Performance System’ includes all applications in the master plan for the system submitted to Congress on June 8, 2001, and any revision of such master plan.

Subtitle F—Defense Dependents Education

SEC. 351. ASSISTANCE TO LOCAL EDUCATIONAL AGENCIES THAT BENEFIT DEPENDENTS OF MEMBERS OF THE ARMED FORCES AND DEPARTMENT OF DEFENSE CIVILIAN EMPLOYEES.

(a) CONTINUATION OF DEPARTMENT OF DEFENSE PAY AND OTHER ELEMENTS.—Not later than June 8, 2001, the amount authorized to be appropriated pursuant to section 301(a)(5) for operation and maintenance for Defense-wide activities shall be $5,000,000 shall be available for payments pursuant to section 363 of the Floyd D. Spence National Defense Authorization Act for Fiscal Year 2001 (as enacted into law by Public Law 106-358; 114 Stat. 1644A-77; 20 U.S.C. 7703a).

(b) SPECIFIC CONSIDERATIONS.—In carrying out the study, the Comptroller General shall consider the following issues:

(1) Whether the compensation is adequate for recruiting and retaining high quality teachers.

(2) Whether any revision of the Department of Defense Overseas Teachers Pay and Personal Practices Act (20 U.S.C. 921 et seq.) is advisable to address any problems identified with respect to the recruitment and retention of high quality teachers for other purposes.

(c) REPORT.—Not later than May 1, 2002, the Comptroller General shall submit to Congress a report containing the results of the study, including—

(1) The Comptroller General's conclusions on the issues considered; and

(2) Any recommendations for actions that the Comptroller General considers appropriate.

Subtitle F—Other Matters

SEC. 351. AVAILABILITY OF EXCESS DEFENSE PERSONAL PROPERTY TO SUPPORT DEFENSE TRANSPORTATION INITIATIVES AND OTHER HUMANITARIAN RELIEF.

(a) TRANSPORTATION INITIATIVES.—Subsection (a) of section 2557 of title 10, United States Code, is amended—

(1) by striking ‘‘The Secretary’’ and inserting—

‘‘(1) The Secretary may make excess clothing, shoes, sleeping bags, and related nonlethal excess supplies available to the Secretary of Veterans Affairs for distribution to homeless veterans and other home¬

less veterans. The transfer of nonlethal excess supplies to the Secretary of Veterans Affairs under this paragraph shall be without reimbursement.’’;

(b) CLERICAL AMENDMENTS.—(1) The heading of such section is amended to read as follows: ‘‘§2557. Excess nonlethal supplies: availability for homeless veteran initiatives and human¬

itarian relief’’.

(2) The table of sections at the beginning of chapter 152 of such title is amended by striking the item relating to section 2557 and inserting the following new item:

‘‘§2557. Excess nonlethal supplies: availability for homeless veteran initiatives and human¬

itarian relief.’’

SEC. 352. INCREMENTAL IMPLEMENTATION OF NAVY–MARINE CORPS INTRANET CONTRACT.

(a) ADDITIONAL PHASE-IN AUTHORITY.—Section 814 of the Floyd D. Spence National Defense Authorization Act for Fiscal Year 2001 (as enacted into law by Public Law 106-358; 114 Stat. 1644A-215) is amended—

(1) by redesignating subsections (d), (e), and (f) as subsections (f), (g), and (h), respectively; and

(2) by inserting after subsection (b) the following new subsection:

‘‘(c) ADDITIONAL PHASE-IN AUTHORITY PEND¬

ING SECOND JOINT CERTIFICATION.—(1) Notwithstanding subsection (b)(3), the Secretary of the Navy may order additional work stations under the Navy-Marine Corps Intranet contract in excess of the number provided in the first in¬
crement of the contract under subsection (b)(2), by not more than 100,000 work stations. The authority of Secretary of the Navy to order additional work stations under this paragraph is subject to approval by both the Under Secretary of Defense for Acquisition, Technology, and Logistics and the Chief Information Officer of the Department of Defense.

(2) The Under Secretary of Defense for Ac¬

quisition, Technology, and Logistics and the Chief Information Officer of the Department of Defense may not grant approval to the Sec¬

retary of the Navy to order additional work sta¬

tions under paragraphs (1) and (2) of this subsection unless appropriate action has been taken to address any problems identified with respect to the re¬

cruitment and retention of high quality teachers for or other purposes.

(b) S PECIFIC CONSIDERATIONS.—In carrying out the study, the Comptroller General shall consider the following issues:

(1) Whether the compensation is adequate for recruiting and retaining high quality teachers.

(2) Whether any revision of the Department of Defense Overseas Teachers Pay and Personal Practices Act (20 U.S.C. 901 et seq.) is advisable to address any problems identified with respect to the recruitment and retention of high quality teachers for or other purposes.

(c) REPORT.—Not later than June 30, 2002, the Secretary of Defense shall notify each local educational agency that is eligible for assistance or payment under subsection (a) for fiscal year 2002 of—

(1) that agency’s eligibility for the assistance or payment; and

(2) the amount of the assistance or payment for which that agency is eligible.

(d) DISBURSEMENT OF FUNDS.—The Secretary of Defense shall disburse funds made available under paragraph (a) not later than 30 days after the date on which notification to the eligible local educational agencies is provided pursuant to subparagraph (c).

(e) DEFINITIONS.—In this section:

(1) The term ‘‘educational agency assistance’’ means assistance authorized under section 2557 of title 10, United States Code, and includes all applications in the master plan for the Army Workload and Performance System submitted to Congress on June 8, 2001, and any revision of such master plan.

(2) The term ‘‘local educational agency’’ has the meaning given that term in section 8013(9) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7173(9)).
(ii) The work stations referred to in clause (i) have met applicable service-level agreements specified in the Navy-Marine Corps Intranet contract, as determined by contractor performance measurement under oversight by the Department of the Navy.

(iii) The Chief Information Officer of the Navy certifies to the Secretary of the Navy and the Chief Information Officer of the Department of Defense that the results of the performance evaluation referred to in clause (ii) are acceptable.

(3) Of the work stations ordered under the authority provided by paragraph (2), not more than 10 percent may reach the major milestone known as ‘assumption of responsibility’ until each of the following occurs:

(A) All work stations for the headquarters of the Naval Air Command have met applicable service-level agreements specified in the Navy-Marine Corps Intranet contract, as determined by contractor performance measurement under oversight by the Department of the Navy.

(B) The Chief Information Officer of the Navy certifies to the Secretary of the Navy and the Chief Information Officer of the Department of Defense that the results of the performance evaluation referred to in subparagraph (B) are acceptable.

(4) For the purposes of this section, when the information infrastructure and systems of a user of a work station transferred into Navy-Marine Corps Intranet infrastructure and systems under the Navy-Marine Corps Intranet contract consistent with the applicable service-level agreement specified in the Navy-Marine Corps Intranet contract, the work station shall be considered as having been provided for the Navy-Marine Corps Intranet.

(5) Reporting and review requirements.

(a) If work stations are ordered using the authority provided by paragraph (1) or (2) of subsection (c), the Secretary of the Navy shall submit to Congress a report, current as of the date the determination is made to order the work stations, on the following:

(A) The number of work stations operating on the Navy-Marine Corps Intranet, including the number of work stations regarding which assumption of responsibility has occurred.

(B) The status of testing and implementation of the Navy-Marine Corps Intranet program.

(C) The number of work stations to be ordered under paragraph (1) or (2) of subsection (c), with the expected date for order completion.

(b) A report containing the information required by paragraph (1) shall also be submitted to Congress when the requirements of paragraph (3) of subsection (a) are satisfied and additional work stations under the Navy-Marine Corps Intranet contract are authorized to reach assumption of responsibility.

(c) Means of protecting the Project from outside intrusion.

(d) Impediments to interconnectivity, including the extent to which national security concerns affect interconnectivity and the technological capability of the Defense Department to impede interconnectivity, as well as other concerns or limitations that affect interconnectivity.

(e) Means of improving interconnectivity.

(f) Report.—Not later than 270 days after the date of the enactment of this Act, the Comptroller General shall submit to the Committee on Armed Services of the House of Representatives a report on the study conducted under subsection (a). The report shall describe the results of the study and shall include any recommendations that the Comptroller General considers appropriate in regard to that study.

SEC. 364. REAUTHORIZATION OF WARRANTY CLAIMS RECOVERY PILOT PROGRAM.


(b) Reporting requirements.—Subsection (g) of such section is amended—

(1) in paragraph (1), by striking “January 1, 2001” and inserting “January 1, 2003”; and

(2) in paragraph (2), by striking “March 1, 2001” and inserting “March 1, 2003”.

SEC. 365. EVALUATION OF CURRENT DEMONSTRATION PROGRAMS TO IMPROVE QUALITY OF PERSONAL PROPERTY SHIPMENTS OF MEMBERS.

(a) Comptroller General Evaluation Report.—Not later than March 31, 2002, the Secretary of Defense shall complete the ongoing evaluation of all test programs regarding the transportation of personal property for members of the Armed Forces and submit to Congress a report containing the results of such evaluation.

(b) Contents of Report.—The report shall include—

(1) the results of each test program evaluated, including whether the test program satisfied the goals for the movement of such household goods (as contained in the General Accounting Report NSIAID 97–49) and whether current business processes and information technology capabilities require upgrading or other changes to improve the transportation of such household goods; and

(2) recommendations for policy improvements for military household goods at the 2002 Winter Olympic Games to be held in Salt Lake City, Utah, and other locations in the State of Utah.

TITLE IV—MILITARY PERSONNEL AUTHORIZATIONS

Subtitle A—Acting Forces

Sec. 401. End strengths for active forces.

Sec. 402. Revision in permanent end strength minimum levels.

Sec. 403. Increase in selected active duty grade limit for Navy, Marine Corps, and Air Force.

Subtitle B—Reserve Forces

Sec. 411. End strengths for Selected Reserve.

Sec. 412. End strengths for Reserve Forces in active duty in support of the reserves.

Sec. 413. End strengths for military technicians (dual status).

Sec. 414. Fiscal year 2002 limitation on non-dual status technicians.

Sec. 415. Limitations on numbers of reserve personnel serving on active duty or full-time National Guard duty in certain grades for administration of reserve components.

Subtitle C—Other Matters Relating to Personnel Strengths

Sec. 421. Administration of end strengths.

Sec. 422. Active duty end strength exemption for National Guard and reserve personnel performing funerary honors functions.

Subtitle D—Authorization of Appropriations

Sec. 431. Authorization of appropriations for military personnel.

Subtitle A—Acting Forces

Sec. 401. END STRENGTHS FOR ACTIVE FORCES.

The Armed Forces are authorized strengths for active duty personnel as of September 30, 2002, as follows:

(1) The Army, 480,000.

(2) The Navy, 376,000.

(3) The Marine Corps, 172,600.

(4) The Air Force, 558,800.

Sec. 402. REVISION IN PERMANENT END STRENGTH MINIMUM LEVELS.

Section 651(b) of title 10, United States Code, is amended—

(1) in paragraph (2), by striking “372,000” and inserting “376,000”; and

(2) in paragraph (4), by striking “357,000” and inserting “358,800”.

Sec. 403. INCREASE IN SENIOR ENLISTED ACTIVE DUTY GRADE LIMIT FOR NAVY, MARINE CORPS, AND AIR FORCE.

Section 517(a) of title 10, United States Code, is amended by striking “2 percent (or, in the case of the Army, 2.5 percent)” and inserting “2.5 percent.”
SEC. 412. END STRENGTHS FOR RESERVES ON AC-
TIVE DUTY IN SUPPORT OF THE RE-
sERVES.

Within the end strengths prescribed in section
411(a), the reserve components of the Armed
Forces are authorized, as of September 30, 2002,
the following number of Reserves to be serving
on full-time active duty or full-time duty, in the
case of members of the National Guard, for the
purpose of organizing, administering, recruiting,
instruction, or training the reserve components:

(1) The Army National Guard of the United
States, 23,698.

(2) The Army Reserve, 13,406.

(3) The Naval Reserve, 14,811.

(4) The Marine Corps Reserve, 2,261.

(5) The Air National Guard of the United
States, 11,591.

(6) The Air Force Reserve, 1,437.

SEC. 413. END STRENGTHS FOR MILITARY TECH-
NICIANS (DUAL STATUS).

The minimum number of military technicians
(dual status) as of the last day of fiscal year
2002 for the reserve components of the Army and
the Air Force (notwithstanding section 129 of
section 12011 of title 10, United States Code) shall be
the following:

(1) For the Army Reserve, 6,249.

(2) For the Army National Guard of the United
States, 23,615.

(3) For the Air Force Reserve, 9,818.

(4) For the Air National Guard of the United
States, 22,422.

SEC. 414. FISCAL YEAR 2002 LIMITATION ON NON-
DUAL STATUS TECHNICIANS.

(a) LIMITATION.—The number of non-dual status
technicians employed by the reserve compo-
nents of the Army and the Air Force as of Sep-
tember 30, 2002, may not exceed the following:

(1) For the Army Reserve, 1,995.

(2) For the Army National Guard of the
United States, 1,990.

(3) For the Air Force Reserve, 90.

(4) For the Air National Guard of the United
States, 295.

(b) NON-DUAL STATUS TECHNICIANS DE-
FINED.—In this section, the term “non-dual status
technician” has the meaning given that term in
section 10217(a) of title 10, United States Code.

SEC. 415. LIMITATIONS ON NUMBERS OF RE-
SERVE PERSONNEL SERVING ON AC-
TIVE DUTY OR FULL-TIME NATIONAL
GUARD DUTY IN CERTAIN GRADES
FOR ADMINISTRATION OF RESERVE
COMPONENTS.

(a) OFFICERS.—The text of section 12011 of
title 10, United States Code, is amended to read as
follows:

"(c) LIMITATIONS.—(1) Of the total number of
members of a reserve component who are serving
on full-time reserve component duty at the end
of any fiscal year, the number of those members
who may be serving in each of the grades of
major, lieutenant colonel, and colonel may not,
as of the end of that fiscal year, exceed the
number determined in accordance with the fol-
lowing table:

| Number of officers of that reserve component who may be serving in the grade of: |
|------------------------------------------|---|---|
| Major                                   | 1,390 | 740 |
| Lieutenant Colonel                       | 2,570 | 1,515 |
| Colonel                                 | 3,640 | 2,000 |

Army Reserve:

| 10,000        | 1,500  | 650  |
| 11,000        | 1,650  | 700  |
| 12,000        | 1,800  | 800  |
| 13,000        | 1,950  | 900  |
| 14,000        | 2,100  | 1,000 |
| 15,000        | 2,250  | 1,100 |
| 16,000        | 2,400  | 1,200 |
| 17,000        | 2,550  | 1,300 |
| 18,000        | 2,700  | 1,400 |
| 19,000        | 2,850  | 1,500 |
| 20,000        | 3,000  | 1,600 |
| 21,000        | 3,150  | 1,700 |

Army National Guard:

| 20,000        | 1,500  | 650  |
| 21,000        | 1,650  | 700  |
| 22,000        | 1,800  | 800  |
| 23,000        | 1,950  | 900  |
| 24,000        | 2,100  | 1,000 |
| 25,000        | 2,250  | 1,100 |
| 26,000        | 2,400  | 1,200 |
| 27,000        | 2,550  | 1,300 |
| 28,000        | 2,700  | 1,400 |
| 29,000        | 2,850  | 1,500 |
| 30,000        | 3,000  | 1,600 |
| 31,000        | 3,150  | 1,700 |

Marine Corps Reserve:

| 1,000        | 106   | 56   |
| 1,200        | 110   | 60   |
| 1,300        | 114   | 63   |
| 1,400        | 118   | 66   |
| 1,500        | 122   | 69   |
| 1,600        | 126   | 72   |
| 1,700        | 130   | 75   |
| 1,800        | 134   | 78   |
| 1,900        | 138   | 81   |
| 2,000        | 142   | 84   |
| 2,100        | 146   | 87   |
| 2,200        | 150   | 90   |
| 2,300        | 154   | 93   |
| 2,400        | 158   | 96   |
| 2,500        | 162   | 99   |
| 2,600        | 166   | 102  |

Air Force Reserve:

| 900          | 83    | 45   |
| 1,000        | 155   | 45   |
| 1,100        | 220   | 115  |
| 1,200        | 285   | 110  |
| 1,300        | 350   | 105  |
| 1,400        | 415   | 220  |
| 1,500        | 472   | 230  |

Notes:
1. Total number of members of a reserve component serving on full-time reserve component duty.

2. Numbers rounded to nearest whole number.

3. The text of section 12011 of title 10, United States Code, is amended to read as follows:

4. The Naval Reserve, 87,000.

5. The Air Force Reserve, 74,700.

6. The Coast Guard Reserve, 8,000.

7. Adjustments—The end strengths prescribed by subsection (a) for the selected reserve of any reserve component shall be proportionately reduced by:

(1) the total authorized strength of units organized to serve as units of the selected reserve of such component which are on active duty (other than for training) at the end of the fiscal year; and

(2) the total number of individual members not in units organized to serve as units of the selected reserve of such component who are on active duty (other than for training or for unsatisfactory participation in training) without their consent at the end of the fiscal year.

8. Whenever such units or such individual members are released from active duty during any fiscal year, the end strength prescribed for such fiscal year for the selected reserve of such reserve component shall be proportionately increased by the total authorized strengths of such units and by the total number of such individual members.

December 12, 2001

CONGRESSIONAL RECORD—HOUSE
**CONGRESSIONAL RECORD—HOUSE**

December 12, 2001

**Total number of members of a reserve component serving on full-time reserve component duty:**

<table>
<thead>
<tr>
<th>Pay Grade</th>
<th>Air National Guard:</th>
<th>Naval Reserve:</th>
</tr>
</thead>
<tbody>
<tr>
<td>0.00</td>
<td></td>
<td></td>
</tr>
<tr>
<td>4,000</td>
<td>333</td>
<td>741</td>
</tr>
<tr>
<td>4,500</td>
<td>403</td>
<td>615</td>
</tr>
<tr>
<td>5,000</td>
<td>472</td>
<td>512</td>
</tr>
<tr>
<td>5,500</td>
<td>539</td>
<td>571</td>
</tr>
<tr>
<td>6,000</td>
<td>606</td>
<td>571</td>
</tr>
<tr>
<td>7,000</td>
<td>673</td>
<td>630</td>
</tr>
<tr>
<td>8,000</td>
<td>740</td>
<td>688</td>
</tr>
<tr>
<td>9,000</td>
<td>807</td>
<td>742</td>
</tr>
<tr>
<td>10,000</td>
<td>873</td>
<td>795</td>
</tr>
<tr>
<td>11,000</td>
<td>939</td>
<td>848</td>
</tr>
<tr>
<td>12,000</td>
<td>1,005</td>
<td>898</td>
</tr>
<tr>
<td>13,000</td>
<td>1,071</td>
<td>948</td>
</tr>
<tr>
<td>14,000</td>
<td>1,138</td>
<td>998</td>
</tr>
<tr>
<td>15,000</td>
<td>1,195</td>
<td>1,048</td>
</tr>
<tr>
<td>16,000</td>
<td>1,252</td>
<td>1,098</td>
</tr>
<tr>
<td>17,000</td>
<td>1,309</td>
<td>1,148</td>
</tr>
<tr>
<td>18,000</td>
<td>1,364</td>
<td>1,198</td>
</tr>
<tr>
<td>19,000</td>
<td>1,410</td>
<td>1,248</td>
</tr>
<tr>
<td>20,000</td>
<td>1,466</td>
<td>1,298</td>
</tr>
<tr>
<td>21,000</td>
<td></td>
<td></td>
</tr>
<tr>
<td>22,000</td>
<td></td>
<td></td>
</tr>
<tr>
<td>23,000</td>
<td></td>
<td></td>
</tr>
<tr>
<td>24,000</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**Number of officers of that reserve component who may be serving in the grade of:**

<table>
<thead>
<tr>
<th>Grade</th>
<th>Major</th>
<th>Lieutenant</th>
<th>Colonel</th>
</tr>
</thead>
<tbody>
<tr>
<td>E-7</td>
<td>530</td>
<td>335</td>
<td>246</td>
</tr>
<tr>
<td>E-8</td>
<td>585</td>
<td>329</td>
<td>247</td>
</tr>
<tr>
<td>E-9</td>
<td>638</td>
<td>358</td>
<td>254</td>
</tr>
<tr>
<td>E-10</td>
<td>683</td>
<td>365</td>
<td>261</td>
</tr>
<tr>
<td>F-10</td>
<td>735</td>
<td>375</td>
<td>268</td>
</tr>
<tr>
<td>F-11</td>
<td>790</td>
<td>390</td>
<td>280</td>
</tr>
<tr>
<td>F-12</td>
<td>845</td>
<td>415</td>
<td>290</td>
</tr>
<tr>
<td>F-13</td>
<td>835</td>
<td>425</td>
<td>296</td>
</tr>
</tbody>
</table>

**Number of officers who may be serving in the grade of:**

| Grade    | Lieutenant Commander Captain |
|----------|-----------------------------|----------------|
| E-7      | 807                        | 447            | 141     |
| E-8      | 867                        | 407            | 153     |
| E-9      | 924                        | 485            | 163     |
| F-10     | 980                        | 503            | 173     |
| F-11     | 1,035                       | 521            | 183     |
| F-12     | 1,088                       | 538            | 193     |
| F-13     | 1,142                       | 555            | 203     |
| F-14     | 1,195                       | 565            | 213     |
| F-15     | 1,246                       | 575            | 223     |
| F-16     | 1,294                       | 585            | 233     |
| F-17     | 1,334                       | 595            | 243     |
| F-18     | 1,384                       | 605            | 253     |
| F-19     | 1,430                       | 615            | 263     |
| F-20     | 1,480                       | 626            | 273     |

**‘(b) LIMITATIONS.—Of the total number of members of a reserve component serving on full-time reserve component duty not exceeding the number equal to 5 percent of the maximum number specified for the grade in that table, does not exceed the number equal to 5 percent of the maximum number specified for the grade in that table.**

**‘(2) Of the total number of members of the Naval Reserve who are serving on full-time reserve component duty at the end of any fiscal year, the number of those members who may be serving in each of the grades of lieutenant commander, commander, and captain may not, as of the end of that fiscal year, exceed the number determined in accordance with the following table:**

<table>
<thead>
<tr>
<th>Pay Grade</th>
<th>Naval Reserve:</th>
<th>Air National Guard:</th>
</tr>
</thead>
<tbody>
<tr>
<td>0.00</td>
<td></td>
<td></td>
</tr>
<tr>
<td>3,000</td>
<td>620</td>
<td>287</td>
</tr>
<tr>
<td>4,000</td>
<td>620</td>
<td>287</td>
</tr>
<tr>
<td>5,000</td>
<td>620</td>
<td>287</td>
</tr>
<tr>
<td>6,000</td>
<td>620</td>
<td>287</td>
</tr>
<tr>
<td>7,000</td>
<td>620</td>
<td>287</td>
</tr>
<tr>
<td>8,000</td>
<td>620</td>
<td>287</td>
</tr>
<tr>
<td>9,000</td>
<td>620</td>
<td>287</td>
</tr>
<tr>
<td>10,000</td>
<td>620</td>
<td>287</td>
</tr>
</tbody>
</table>

**‘(d) SECRETARIAL WAIVER.—(1) Upon determining that it is in the national interest to do so, the Secretary of Defense may increase for a particular fiscal year the number of reserve officers that may be on full-time reserve component duty for a reserve component in a grade referred to in a table in subsection (a) by a number that does not exceed the number equal to 5 percent of the maximum number specified for the grade in that table.**

**‘(2) Whenever the Secretary exercises the authority provided in paragraph (1), the Secretary shall submit to the Committee on Armed Services of the Senate and the Committee on Armed Services of the House of Representatives notice in writing of the adjustment made.**

**‘(e) FULL-TIME RESERVE COMPONENT DUTY DEFINED.—In this section, the term ‘full-time reserve component duty’ means the following duty:**

- (1) Active duty described in sections 10211, 10302, 10303, 10304, 10305, 12310, or 12402 of this title.
- (2) Full-time National Guard duty (other than for training) under section 502(f) of title 32.
- (3) Active duty described in section 708 of title 22.
“(b) Determinations by Interpolation.—If the total number of members of a reserve component serving on full-time reserve component duty is between any two consecutive numbers in the first column of the table in subsection (a), the corresponding authorized strengths for each of the grades shown in that table for that component are determined by mathematical interpolation between the respective numbers of the two strengths. If the total number of members of a reserve component serving on full-time reserve component duty is more or less than the highest or lowest value, respectively, set forth in the first column of the table in subsection (a), the Secretary concerned shall fix the corresponding strengths for the grades shown in the table at the same proportion as is reflected in the nearest limit shown in the table.

(3) Reallocations to Lower Grade.—Whenever the number of members serving in pay grade E-9 for duty described in subsection (a) is less than the number authorized for that grade under this section, the difference between the two numbers shall be applied to increase the number authorized under this section for pay grade E-8.

(d) Secretarial Waiver.—(1) Upon determining that it is in the national interest to do so, the Secretary of Defense may increase for a particular fiscal year the number of reserve enlisted members that may be on active duty or full-time National Guard duty as described in subsection (a) for a reserve component in a pay grade referred to in a table in subsection (a) by a number that was not exceeded in the previous year, up to 5 percent of the maximum number specified for that grade and reserve component in the table.

(2) Whenever the Secretary exercises the authority provided in paragraph (1), the Secretary shall submit to the Committee on Armed Services of the Senate and the Committee on Armed Services of the House of Representatives notice in writing of the adjustment made.

(e) Full-Time Reserve Component Duty Defined.—In this section, the term ‘full-time reserve component duty’ has the meaning given in the term in section 1201(e) of this title.”

Subtitle C—Other Matters Relating to Personnel Strengths

SEC. 421. ADMINISTRATION OF END STRENGTHS.

(a) Increase in Percentage by Which Active Component End Strengths May Be Increased.—Section 115(c)(1) of title 10, United States Code, is amended by striking ‘‘1 percent’’ and inserting ‘‘2 percent’’.

(b) Waiver of End Strengths During National Emergency.—(1) If at any fiscal year there is in effect a war or national emergency, the President may waive any statutory end strength with respect to that fiscal year. An such waiver may be issued only for a statutory end strength that is prescribed by law before the waiver is issued.

(2) Upon Termination of War or National Emergency.—If a war or national emergency with respect to which the President has exercised the authority provided by subsection (a), the President may defer the effect of any statutory end strength with respect to the fiscal year during which the termination occurs. Any such deferral may not exceed beyond the last day of the sixth month beginning after the date of such termination.

(c) Statutory End Strength.—In this section, the term ‘statutory end strength’ means any end-strength limitation with respect to a fiscal year that is prescribed by law for any military or civilian component of the armed forces or of the Department of Defense.

SEC. 422. ACTIVE DUTY END STRENGTH EXEMPTIONS, DEFINITIONS, AND RESERVE PERSONNEL PERFORMING FUNERAL HONORS FUNCTIONS.

Section 1201(d) of title 10, United States Code, is amended by adding at the end the following new paragraphs:

(10) Members of reserve components on active duty to prepare and perform funeral honors functions for funerals of veterans in accordance with section 1491 of this title.

(11) Members on full-time National Guard duty to prepare and perform funeral honors functions for funerals of veterans in accordance with section 1491 of this title.

Subtitle D—Authorization of Appropriations

SEC. 431. AUTHORIZATION OF APPROPRIATIONS FOR MILITARY PERSONNEL.

There is hereby authorized to be appropriated to the Department of Defense for military personnel for fiscal year 2002 a total of $2,037,519,000. The authorization in the preceding sentence supersedes any other authorization of appropriations (definite or indefinite) for such purpose for fiscal year 2002.
Sec. 533. Foreign students attending the service academies.

Sec. 534. Increase in maximum age for appointment as a cadet or midshipman in Service Reserve Officers’ Training Corps scholarship programs.

Sec. 535. Participation of regular enlisted members of the Armed Forces in Senior Reserve Officers’ Training Corps programs.

Sec. 536. Authority to modify the service obligation of certain ROTC cadets in multiple junior colleges receiving financial assistance.

Sec. 537. Repeal of limitation on number of Junior Reserve Officers’ Training Corps units.

Sec. 538. Modification of nurse officer candidate accession program restriction on students attending educational institutions with senior reserve officers’ training programs.

Sec. 539. Reserve health professionals stipend program expansion.

Sec. 540. Housing allowance for the chaplain for the Corps of Cadets at the United States Military Academy.

Subtitle E—Recruiting and Accession Programs

Sec. 541. 18-month enlistment pilot program.

Sec. 542. Improved benefits under the Army College First program.

Sec. 543. Correction and extension of certain Army recruiting pilot program authorities.

Sec. 544. Military recruiter access to secondary school and students.

Sec. 545. Permanent authority for use of military recruiting funds for certain expenses at Department of Defense recruiting functions.

Sec. 546. Report on health and disability benefits for pre-accession training and education programs.

Subtitle F—Decorations, Awards, and Posthumous Commissions

Sec. 551. Authority for award of the Medal of Honor to Hubert R. Versace, Jon E. Swanson, and Ben L. Salomon for valor.

Sec. 552. Review regarding award of Medal of Honor to certain Jewish American and Hispanic American war veterans.

Sec. 553. Authority to issue duplicate Medals of Honor to certain officers.

Sec. 554. Retrospective Medal of Honor special pension.

Sec. 555. Waiver of time limitations for award of certain decorations to certain persons.

Sec. 556. Sense of Congress on issuance of certain medals.

Sec. 557. Sense of Congress on development of a more comprehensive, uniform policy for the award of decorations to military and civilian personnel of the Department of Defense.

Sec. 558. Posthumous Army commission in the grade of captain in the Chaplains Corps to Ella E. Gibson for service as chaplain of the First Wisconsin Heavy Artillery Regiment during the Civil War.

Subtitle G—Funeral Honors Duty

Sec. 561. Participation of military retirees in funeral honors details.

Sec. 562. Funeral honors duty performed by Reserve and Guard members to be treated as inactive-duty training for certain purposes.

Sec. 563. Use of military leave for funeral honors duty by Reserve members and National Guardsmen.

Sec. 564. Authority to provide appropriate articles of clothing as a civilian uniform for civilians participating in funeral honor details.

Subtitle H—Military Spouses and Family Support

Sec. 571. Improved financial and other assistance to military spouses for job training and education.

Sec. 572. Preamendment program included in surveys of military families regarding Federal programs.

Sec. 573. Clarification of treatment of classified information concerning persons in a missing status.

Sec. 574. Transportation to annual meeting of next-of-kin of persons unaccounted for from conflicts after World War II.

Sec. 575. Amendments to charter of Defense Task Force on Domestic Violence.

Subtitle I—Military Justice and Legal Assistance Matters

Sec. 581. Blood alcohol content limit for the offense under the Uniform Code of Military Justice of drunken operation of a vehicle, aircraft, or vessel.

Sec. 582. Requirement that courts-martial consist of not less than 12 members in the following cases:

Sec. 583. Acceptance of voluntary legal assistance for the civil affairs of members and former members of the uniformed services and their dependents.

Subtitle J—Other Matters

Sec. 589. Congressional review period for change in ground combat exclusion policy.

Sec. 590. Per diem allowance for lengthy or numerous deployments.

Sec. 591. Clarification of disability severance pay computations.

Sec. 592. Repeal of requirements for final Comp-troller General report relating to Army end strength allocations.

Sec. 593. Continued Department of Defense administration of National Guard Challenge program and Department of Defense Starbase program.

Sec. 597. Report on Defense Science Board recommendation on original appointments in regular grades for Academy graduates and certain other military personnel.

Sec. 598. Sense of Congress regarding the selection of officers for recommendation for appointment as Commander, United States Transportation Command.

Subtitle A—Officer Personnel Policy

Sec. 501. ENHANCED FLEXIBILITY FOR MANAGEMENT OF GENERAL AND FLAG OFFICER POSITIONS.

(a) REPEAL OF LIMIT ON NUMBER OF OFFICERS ON ACTIVE DUTY IN GRADES OF GENERAL AND ADMIRAL.—Section 528 of title 10, United States Code, is repealed.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 32 of such title is amended by striking the item relating to section 528.

Sec. 502. CERTIFICATIONS OF SATISFACTORY PERFORMANCE FOR RETIREMENT OF OFFICERS IN GRADES ABOVE MAJOR GENERAL AND REAR ADMIRAL.

Section 1370(c) of title 10, United States Code, is amended by adding at the end the following new paragraph:

(2)(A) The Secretary of Defense may delegate authority to make a certification with respect to an officer under paragraph (1) only to the Under Secretary of Defense for Personnel and Readiness or the Deputy Under Secretary of Defense for Personnel and Readiness.

(B) If authority is delegated under subparagraph (A) and, in the case of consideration of an officer for a certification under paragraph (1), the Under Secretary or (if such authority is delegated to both the Under Secretary and Deputy Under Secretary) the Deputy Under Secretary makes a determination described in subparagraph (C) with respect to that officer, the Under Secretary of Defense or Under Secretary, as the case may be, may not exercise the delegated authority in that case, but shall refer the matter to the Secretary of Defense, who shall personally determine whether to issue a certificate under paragraph (1) with respect to that officer.

(C) A determination referred to in subparagraph (B) is a determination that there is potentially adverse information concerning an officer and that such information has not previously been submitted to the Senate in connection with the consideration by the Senate of a nomination of that officer for an appointment for which the nomination and consent were advised.

SEC. 503. REVIEW OF ACTIONS OF SELECTION BOARDS.

(a) IN GENERAL.—Chapter 79 of title 10, United States Code, is amended by adding at the end the following:

¶ 1558. Review of actions of selection boards: correction of military records by special boards; judicial review

“(a) CORRECTION OF MILITARY RECORDS.—The Secretary of a military department may correct a person’s military records in accordance with a recommendation of a special selection board. Any such correction may be made effective as of the effective date of the action taken on a report of a previous selection board that resulted in the action corrected in the person’s military records.

“(B) DEFINITIONS.—In this section:

“(i) SPECIAL BOARD.—(A) The term ‘special board’ means a board that the Secretary of a military department convenes under any authority to consider whether to recommend a person for appointment, enlistment, reenlistment, assignment, promotion, separation, retirement, or transfer to inactive status in a reserve component instead of referring the records of that person for consideration by a previously convened selection board, if the Secretary considered or should have considered that person.

“(ii) Such term includes a board for the correction of military records convened under section 1552 of this title, if designated as a special board by the Secretary concerned.

“(C) Such term does not include a promotion special selection board convened under section 628 or 14092 of this title.

“(2) SELECTION BOARD.—(A) The term ‘selection board’ means a selection board convened under section 573(c), 580, 580a, 581, 611(b), 637, 638, 638a, 14101(b), 14701, 14704, or 14705 of this title, and any other board convened by the Secretary of a military department under any authority to recommend persons for appointment, enlistment, reenlistment, assignment, promotion, or retention in the armed forces or for separation, retirement, or transfer to inactive status in a reserve component for the purpose of reducing the number of persons serving in the armed forces.

“(B) Such term does not include any of the following:

“(i) A promotion board convened under section 573(a), 611(a), or 14101(a) of this title.

“(ii) A special board.

“(iii) A special selection board convened under section 628 of this title.

“(iv) A board for the correction of military records convened under section 1552 of this title.
Congressional Record—House

December 12, 2001

H9355

“(3) INVOLUNTARILY BOARD-SEPARATED.—The term ‘involuntarily board-separated’ means separated or retired from an armed force, or transferred to the Retired Reserve or to inactive status in a reserve component, as a result of a recommendation of a selection board.

(c) RELIEF ASSOCIATED WITH CORRECTION OF CERTAIN ACTIONS.—(1) The Secretary of the military department concerned shall provide for the correction of an involuntary board-separated person’s record, if, in the Secretary’s determination, the involuntary board separation was a result of an action or recommendation by a selection board, that was made in the case of that person on the basis of a previous report of a selection board, the Secretary of a military department not to convene a special board to consider the person for recommendation for promotion by a special selection board, or a finding of material error of fact or material administrative error; or

(ii) a result of a material error of fact or material administrative error; or

(iii) arbitrary or capricious; or

(iv) otherwise contrary to law.

(2) The Secretary may prescribe in the regulations under paragraph (1) the circumstances under which consideration by a special board may be provided for under this section, including the following:

(A) The circumstances under which consideration of a person’s case by a special board is contingent upon application by or for that person.

(B) Any time limits applicable to the filing of an application for such consideration.

(3) A court of the United States may review a determination by the Secretary of a military department not to convene a special selection board under this section, if the determination is made in the case of a person who has been referred by the Secretary concerned to a special board under this section, or the Secretary concerned has denied the convening of such a board for such consideration.

(2) A court of the United States may review a recommendation of a selection board or an action of the Secretary of the military department concerned on the report of a special board, or the Secretary of a military department not to convene a special board to consider the person for recommendation for promotion by a special selection board, or a finding of material error of fact or material administrative error; or

(i) arbitrary or capricious; or

(ii) not based on substantial evidence;

(iii) a result of a material error of fact or material administrative error; or

(iv) otherwise contrary to law.

(2) A court of the United States may review a recommendation of a selection board or an action of the Secretary of the military department concerned on the report of a special board, or the Secretary of a military department not to convene a special selection board under this section, or the Secretary concerned has denied the convening of such a board for such consideration.

(2) A court of the United States may review a recommendation of a selection board or an action of the Secretary of the military department concerned on the report of a special board, or the Secretary of a military department not to convene a special selection board under this section, if the determination is made in the case of a person who has been referred by the Secretary concerned to a special board under this section, or the Secretary concerned has denied the convening of such a board for such consideration.

(2) A court of the United States may review a recommendation of a selection board or an action of the Secretary of the military department concerned on the report of a special board, or the Secretary of a military department not to convene a special selection board under this section, or the Secretary concerned has denied the convening of such a board for such consideration.

(2) A court of the United States may review a recommendation of a selection board or an action of the Secretary of the military department concerned on the report of a special board, or the Secretary of a military department not to convene a special selection board under this section, if the determination is made in the case of a person who has been referred by the Secretary concerned to a special board under this section, or the Secretary concerned has denied the convening of such a board for such consideration.

(2) A court of the United States may review a recommendation of a selection board or an action of the Secretary of the military department concerned on the report of a special board, or the Secretary of a military department not to convene a special selection board under this section, or the Secretary concerned has denied the convening of such a board for such consideration.
fully-qualified-officers list is a list of all officers of a service to accomplish mission objectives.

The amendments made by this section shall be promoted without regard to whether a section is amended by inserting before the period at the end of the section the following:

"(A) In subsection (a), by striking "(a)(1)" and inserting "(a)(1)" and inserting "(a) TIME-IN-GRADE REQUIREMENTS.—(1)"

(b) (3) Subsection (b) is amended by striking ""(3)"" and inserting "(b) CONTINUING ELIGIBILITY FOR CONSIDERATION FOR PROMOTION OF OFFICERS WHO HAVE PREVIOUSLY FAILED TO SELECT.—(1)"

(c) Subsection (c) is amended by striking "(c)(1)" and inserting "(c) OFFICERS TO BE CONSIDERED BY PROMOTION BOARDS.—(1)"

(d) Technical Amendment.—Subsection (a)(4) of such section is amended by striking "clause (A)" and inserting "subparagraph (A)".

SEC. 505. AUTHORITY FOR PROMOTION WITHOUT SELECTION BOARD CONSIDERATION FOR ALL FULLY QUALIFIED OFFICERS IN GRADE OF FIRST LIEUTENANT AND JUNIOR GRADE IN THE NAVY.

(a) Active-Duty List Promotions.—(1) Section 624(a) of title 10, United States Code, is amended by adding at the end the following new section:

"(4) An officer in the grade of first lieutenant and, in the case of the Navy, lieutenant (junior grade) who is on an approved all-fully-qualified-officers list shall be considered to be approved for purposes of subparagraph (A) when the list is approved by the President. When so approved, such a list shall be treated in the same manner as a promotion list under this chapter.

"(b) The Secretary of a military department may make a recommendation to the President for approval of an all-fully-qualified-officers list only when the Secretary determines that all officers on the list are fully qualified for promotion to the next higher grade in accordance with regulations prescribed by the Secretary concerned.

"(c) The Secretary of a military department may make a recommendation to the President for approval of an all-fully-qualified-officers list only when the Secretary determines that all officers on the list are fully qualified for promotion to the next higher grade in accordance with regulations prescribed by the Secretary concerned.

"(d) For purposes of this paragraph, an all-fully-qualified-officers list is a list of all officers on the active duty list or in a reserve active-status list who holds the grade of first lieutenant and, or an officer of the Navy on a reserve active-status list who holds the grade of lieutenant (junior grade) who is not fully qualified for promotion when recommending for promotion under section 624(a)(3) of this title all fully qualified officers of the officer's armed force in such grade who would be eligible for such consideration.

"(2) Section 611 of such title is amended by adding at the end the following new subsection:

"(b) OFFICERS IN GRADE OF FIRST LIEUTENANT OR JUNIOR GRADE FOUND NOT FULLY QUALIFIED FOR PROMOTION.—For the purposes of this chapter, an officer of the Army, Air Force, or Marine Corps who is on an approved all-fully-qualified-officers list, if applicable) and

"(A) by inserting effective, because of administrative error,

"(3) Section 619 of title 10, United States Code, is amended by inserting after the period at the end of the section the following:

"(c) The convening of selection boards under section 14101(a) of this title upon the convening of such a board.

"(2) Section 14308(b)(4) of this title all fully qualified officers of the officer's armed force in such grade who would be eligible for such consideration.

"(3) Paragraph (1) does not require the convening of such selection boards because of administrative error,

"(b) The convening of selection boards under section 14101(a) of this title upon the convening of such a board.

"(2) Section 14308(b)(4) of this title all fully qualified officers of the officer's armed force in such grade who would be eligible for such consideration.

"(3) Section 611 of such title is amended by adding at the end the following new subsection:

"(b) The convening of selection boards under section 14308(b)(4) of this title all fully qualified officers of the officer's armed force in such grade who would be eligible for such consideration.

"(2) Section 14311 is amended by adding at the end the following new paragraph:

"(3) Section 1211(e) is amended by inserting after the period at the end of the section the following:

"(4) Section 14311 is amended by adding at the end the following new paragraph:

"(5) Section 14311 is amended by adding at the end the following new paragraph:

"(6) An officer in the grade of first lieutenant and, or an officer of the Navy on a reserve active-status list who holds the grade of lieutenant (junior grade) who is not fully qualified for promotion when recommending for promotion under section 624(a)(3) of this title all fully qualified officers of the officer's armed force in such grade who would be eligible for such consideration.

"(2) Section 14308(b)(4) of this title all fully qualified officers of the officer's armed force in such grade who would be eligible for such consideration.

"(3) Paragraph (1) does not require the convening of such selection boards because of administrative error,
(b) by inserting "in the case of officers of the Navy," after "or lieutenant," the second place it appears.

(2) Section 630 is amended by striking "regular"

(3) Sections 631(a) and 632(a) are each amended—

(A) by striking "Regular Army, Regular Air Force, or Regular Marine Corps" and inserting "Army, Air Force, or Marine Corps on the active-duty list;"

(B) by striking "Regular Navy" and inserting "Navy assigned to the active-duty list;" and

(C) by striking "regular" each place it appears.

(4)(A) The heading of section 630 and the item relating to that section in the table of sections at the beginning of subchapter III are each amended by striking the third word.

(B) The heading of section 631 and the item relating to that section in the table of sections at the beginning of subchapter III are each amended by striking the eighth word.

(C) The heading of section 632 and the item relating to that section in the table of sections at the beginning of subchapter III are each amended by striking the eighth and twenty-first words.

SEC. 506. AUTHORITY TO ADJUST DATE OF RANK OF CERTAIN PROMOTIONS DELAYED BY SURVIVORSHIP OR UNUSUAL CIRCUMSTANCES.

(a) ACTIVE DUTY OFFICERS.—Subtitle 741(d) of title 10, United States Code, is amended by adding at the end the following new paragraph:

"(4)(A) The Secretary concerned may adjust the date of rank of an officer appointed under section 624(a) of this title to a higher grade that is not a general officer or flag officer grade if the appointment of that officer to that grade is delayed from the date on which (as determined by the Secretary) it would otherwise have been made by reason of unusual circumstances (as determined by the Secretary) that cause an unintended delay in—

(i) the processing or approval of the report of the selection board recommending the appointment of that officer to that grade; or

(ii) the processing or approval of the promotion list established on the basis of that report.

"(B) The adjusted date of rank applicable to the grade of an officer under subparagraph (A) shall be consistent with—

(i) with the officer’s position on the promotion list for that grade and competitive category when additional officers in that grade and competitive category were needed; and

(ii) with compliance with the applicable authorized strengths for officers in that grade and competitive category.

"(C) The adjusted date of rank applicable to the grade of an officer under subparagraph (A) shall be the effective date for—

(i) the officer’s pay and allowances for that grade; and

(ii) the officer’s position on the active-duty list.

"(D) When subparagraph (A) the Secretary concerned adjusts the date of rank of an officer in a grade to which the officer was appointed by and with the advice and consent of the Senate and the adjustment is to a date before the date of the advice and consent of the Senate to that appointment, the Secretary shall promptly transmit to the Committee on Armed Services of the Senate a notification of that adjustment. Any such notification shall include the name of the officer and a discussion of the reasons for the adjustment of date of rank.

(5) In date of rank under this paragraph shall be made under regulations prescribed by the Secretary of Defense, which shall apply uniformly among the Army, Navy, Air Force, and Marine Corps.

(b) RESERVE OFFICERS.—(1) Section 14308(c) of such title is amended—

(A) by redesignating paragraph (2) as paragraph (3); and

(B) by inserting after paragraph (1) the following new paragraph:

"(2) The date of rank of an officer appointed to a higher grade under this section may be adjusted in the same manner as an adjustment may be made under section 741(d)(4) of this title when an officer is appointed to a higher grade under section 624(a) of this title. In any use of the authority under the preceding sentence, subparagraph (C)(ii) of such section shall be applied by substituting "reserve active-duty status" for "active-duty list.""

(2) Paragraph (3) of such section, as redesignated by paragraph (1)(A), is amended by inserting "promoting officer (paragraph 2) or as otherwise after "Except as":"

(c) EFFECTIVE DATE.—(1) Paragraph 4 of section 741(d) of title 10, United States Code, as added by subsection (a), and paragraph 2 of section 14308(c) of such title, as added by subsection (b), shall apply with respect to any report of a selection board recommending officers for promotion to the next higher grade that is submitted to the Secretary, the military department concerned on or after the date of the enactment of this Act.

(2) The Secretary of the military department concerned may apply the applicable paragraph referred to in paragraph (1) in the case of an appointment of an officer to a higher grade resulting from a selection board submitted to the Secretary before the date of the enactment of this Act if the Secretary determines that such appointment would have been made on an earlier date than the date of October 1, 2001, and was delayed under the circumstances specified in paragraph (4) of section 741(d) of title 10, United States Code, as added by subsection (a).

SEC. 507. AUTHORITY FOR LIMITED EXTENSION OF MEDICAL DEFERMENT OF MANDATORY RETIREMENT OR SEPARATION.

The text of section 640 of title 10, United States Code, is amended to read as follows:

"(a) If the Secretary of the military department concerned determines that the evaluation of the physical condition of an officer and determination of the officer’s entitlement to retirement or separation for physical disability requiring hospitalization or medical observation and that such hospitalization or medical observation cannot be completed with confidence in a manner consistent with the member’s well being before the date on which the officer otherwise would be required to retire or be separated under this title, the Secretary may defer the retirement or separation of the officer under this title.

(b) A deferral of retirement or separation under subsection (a) may not extend for more than 30 days after completion of the evaluation requiring hospitalization or medical observation.

SEC. 508. AUTHORITY FOR LIMITED EXTENSION ON ACTIVE DUTY OF MEMBERS SUBJECT TO MANDATORY RETIREMENT OR SEPARATION.

(a) SECTION 12305 STOP-LOSS AUTHORITY.—Section 12305 of title 10, United States Code, is amended by adding at the end the following new subsection:

"(c) Upon the termination of a suspension made under the authority of subsection (a) of a provision of law otherwise requiring the separation or retirement of officers on active duty because of age, length of service or length of service in grade, or failure of selection for promotion, the Secretary concerned shall extend by up to 90 days the otherwise required separation or retirement date of any officer covered by the suspended provision whose separation or retirement date, but for the suspension, would have been before the date of the suspension or within 90 days after the date of such termination."

(b) SECTION 123 STOP-LOSS AUTHORITY.—Section 123 of such title is amended by adding at the end the following new subsection:

"(d) Upon the termination of a suspension made under the authority of subsection (a) of a provision of law otherwise requiring the separation or retirement of officers on active duty because of age, length of service or length of service in grade, or failure of selection for promotion, the Secretary concerned shall extend by up to 90 days the otherwise required separation or retirement date of any officer covered by the suspended provision whose separation or retirement date, but for the suspension, would have been before the date of the suspension or within 90 days after the date of such termination."

(c) EFFECT FROM CERTAIN ADMINISTRATIVE LIMITATIONS FOR RETIRED OFFICERS ORDERED TO ACTIVE DUTY AS DEFENSE OR SERVICE ATTACHES.

(b) LIMITATION ON NUMBER OF CALLED-TO-DUTY MILITARY PERSONNEL.

(c) APPLICABILITY.—The amendments made by subsections (a) and (b) shall apply with respect to any officer serving on active duty as a defense attaché or service attaché on or after the date of the enactment of this Act.

SEC. 510. OFFICER IN CHARGE OF UNITED STATES NAVY BAND.

(a) DETAIL AND GRADE.—Section 6221 of title 10, United States Code, is amended to read as follows:

"§6221. United States Navy Band; officer in charge.

"(a) There is a Navy band known as the United States Navy Band.

"(b)(1) An officer of the Navy designated for limited duty under section 5589 or 5596 of this title who is serving in a grade above lieutenant may be detailed by the Secretary of the Navy as Officer in Charge of the United States Navy Band.

"(2) While serving as Officer in Charge of the United States Navy Band, an officer shall hold the grade of captain if appointed to that grade by the President, by and with the advice and consent of the Senate. Such an appointment may be made notwithstanding section 5596(d) of this title.

(c) CLERICAL AMENDMENT.—The item relating to this section in the table of sections at the beginning of chapter 365 of such title is amended to read as follows:

"§6221. United States Navy Band; officer in charge."

Subtitle B—Reserve Component Personnel Policy

SEC. 511. PLACEMENT ON ACTIVE-DUTY LIST OF CERTAIN RESERVE OFFICERS ON ACTIVE DUTY FOR A PERIOD OF THREE YEARS OR LESS.

(a) CLARIFICATION OF EXEMPTION.—Section 640 of title 10, United States Code, is amended to read as follows:

"(d) On active duty under section 12301(d) of this title, other than as provided under subparagraph (a) of a provision of law otherwise requiring the separation or retirement of officers on active duty because of age, length of service or length of service in grade, or failure of selection for promotion, the Secretary concerned shall extend by up to 90 days the otherwise required separation or retirement date of any officer covered by the suspended provision whose separation or retirement date, but for the suspension, would have been before the date of the suspension or within 90 days after the date of such termination."

(b) RETROACTIVE APPLICATION.—(1) The Secretary of the military department concerned
may provide that an officer who was excluded from the active-duty list under section 641(1)(D) of title 10, United States Code, as amended by section 521 of the Floyd D. Spence National Defense Authorization Act for Fiscal Year 2000 (as enacted into law by Public Law 106–334; 114 Stat. 1054–108), shall be considered to have been on the active-duty list during the period beginning on the date of the enactment of this Act and ending on the date of the enactment of the Act.

(2) The Secretary of the military department concerned may provide that a Reserve officer who was placed on the active-duty list on or after October 30, 1997, shall be placed on the active-duty list with respect to that date.

SEC. 512. EXCLUSION OF BACCALAUREATE DEGREE REQUIREMENT FOR APPOINTMENT OF RESERVE OFFICERS TO GRADES ABOVE FIRST LIEUTENANT.

(a) REAUTHORIZATION OF WAIVER AUTHORITY FOR ARMY OCS GRADUATES AND INCLUSION OF CERTAIN MARINE OFFICERS.—Section 12205 of title 10, United States Code, is amended by adding at the end the following new section:

“Sec. 12205a. Waiver authority for Army OCS graduates and certain Marine officers.

“(d) Waiver Authority for Army OCS Graduates and Certain Marine Corps Officers.—Sec. 12205 of the Army National Guard and the Marine Corps Reserve shall be made applicable to an officer whose original appointment in the Army as a Reserve officer is through the Army Officer Candidate program or the Marine Corps Reserve Officer Candidate program.

“(2) The Secretary of the Navy may waive the applicability of subsection (a) to any officer whose original appointment in the Marine Corps as a Reserve officer is through the Marine Officer Candidate program.

“(3) Any such waiver shall be made on a case-by-case basis taking into consideration the individual circumstances of the officer involved, and may continue in effect for no more than two years after the waiver is granted. The Secretary concerned shall provide notice of such a waiver in writing before the date of the waiver, as appropriate in an individual case.”.

(b) EFFECTIVE DATE.—Subsection (d) of section 12205 of title 10, United States Code, as added by subsection (a), shall apply with respect to appointments before, on, or after the date of the enactment of this Act.

SEC. 513. INCREASED DISABILITY BENEFITS FOR CERTAIN RESERVE COMPONENT MEMBERS.

(a) MEDICAL AND DENTAL CARE.—Sections 1074a(e)(3) and 1076a(2)(C) of title 10, United States Code, are each amended by striking “, if the” and all that follows through “member’s residence”.

(b) ELIGIBILITY FOR DISABILITY RETIREMENT OR SEPARATION.—Sections 1202(1)(D)(ii) and 1206(2)(B)(ii) of title 10, United States Code, are each amended by striking “, if the”.

(c) RECOVERY, CARE, AND DISPOSITION OF REMAINS.—Section 1481(a)(2)(D) of title 10, United States Code, is amended by striking “, if the site is outside reasonable commuting distance from the member’s residence”.

(d) ENTITLEMENT TO FORMAL PAY.—Subsections (a)(1)(D) and (c)(1)(D) of section 209 of title 37, United States Code, are each amended by striking “, if the site is outside reasonable commuting distance from the member’s residence”.

(e) COMPENSATION FOR INACTIVE-DUTY TRAINING.—Section 206a(a)(2)(C) of title 37, United States Code, is amended by striking “, if the site is outside reasonable commuting distance from the member’s residence”.

SEC. 514. TIME-IN-RANK REQUIREMENT FOR REERVE COMPONENT OFFICERS RETIRED FOR A NONSERVICE-CONNECTED DISABILITY.

Section 1370(d)(2)(B) of title 10, United States Code, is amended as follows:

“(B) A person covered by subparagraph (A) who has completed at least six months of satisfactory service in grade may be credited with satisfactory service in the grade in which serving at the time of transfer or discharge, notwithstanding failure of the person to complete three years of service in that grade, if the person is transferred from an active status or discharged as a reserve commissioned officer—

“(1) solely due to the requirements of a non-disability transfer or discharge due to the person’s age or years of service; or

“(2) because the person no longer meets the qualifications for membership in the Ready Reserve solely because of a physical disability, as determined, at a minimum, by a medical evaluation board and at the time of such transfer or discharge (pursuant to section 1273(b) of this title or otherwise) meets the service requirements established by section 1273(a) of this title for eligibility for retired pay under chapter 1223 of this title, unless the disability is described in section 1273(b) of this title.”.

SEC. 515. EQUAL TREATMENT OF RESERVES AND FULL-TIME ACTIVE DUTY MEMBERS FOR PURPOSES OF MANAGING PERSONNEL DEPLOYMENTS.

(a) RESIDENCE OF RESERVISTS AT HOME STATION.—Paragraph (2) of section 991(b) of title 10, United States Code, is amended to read as follows:

“(2) In the case of a member of a reserve component who is performing active service pursuant to orders that do not establish a permanent change of station, the housing referred to in paragraphs (1) and (2) of section 991(b) of title 10 may include the member’s residence that the member usually occupies for use during off-duty time when on garrison duty at the member’s permanent duty station or homeport, as the case may be.”

(b) EFFECTIVE DATE.—The amendment made by this section shall apply with respect to duty performed on or after October 1, 2001.

SEC. 516. MODIFICATION OF PHYSICAL EXAMINATION REQUIREMENTS FOR MEMBERS OF THE INDIVIDUAL READY SERVICE.

(a) IRR REQUIREMENT.—Section 10206 of title 10, United States Code, is amended—

“(1) in the matter in subsection (a) preceding paragraph (1), by striking “Ready Reserve” and inserting “Selected Reserve”;

“(2) by designating the second sentence of subsection (a) as subsection (c);

“(3) by redesignating subsection (b) as subsection (d); and

“(4) by inserting after subsection (a) the following new subsection:

“(b) A member of the Individual Ready Reserve or inactive National Guard shall be examined for physical fitness as necessary to determine the member’s physical fitness for—

“(1) military duty or promotion;

“(2) attendance at a school of the armed forces; or

“(3) other action related to career progression.”.

(b) TECHNICAL AMENDMENT.—Subsection (a)(1) of such section is amended by striking “his” and inserting “the member’s”.

(c) RETIREMENT OF RESERVE MEMBERS WITHOUT RETIREMENT FOR YEARS OF SERVICE OR AGE.

(a) RETIRED.—Section 10154(2) of title 10, United States Code, is amended by striking “upon their request”.

(b) RETIREMENT FOR FAILURE OF SELECTION OF PROMOTION.—(1) Paragraph (2) of section 14513 of such title is amended by striking “, if the officer is qualified and applies for such transfer” and inserting “if the officer is qualified and does not request (in accordance with regulations prescribed by the Secretary concerned) not to be transferred to the Retired Reserve”.

(2)(A) The heading for such section is amended to read as follows: “Retirement for failure of selection of promotion: transfer, retirement, or discharge.”

“14513. Failure of selection for promotion: transfer, retirement, or discharge.

“(B) The item relating to such section in the table of sections at the beginning of chapter 1407 of such title is amended to read as follows: “14513. Failure of selection for promotion: transfer, retirement, or discharge.”

(c) RETIREMENT FOR YEARS OF SERVICE OR AFTER SELECTION FOR EARLY REMOVAL.—Section 14514 of such title is amended—

“(1) in paragraph (1), by striking “, if the officer is qualified and applies for such transfer” and inserting “if the officer is qualified and does not request (in accordance with regulations prescribed by the Secretary concerned) not to be transferred to the Retired Reserve”; and

“(2) by striking paragraph (2) and inserting the following:

“(2) be discharged from the officer’s reserve appointment if the officer is not qualified for transfer to the Retired Reserve or has requested (in accordance with regulations prescribed by the Secretary concerned) not to be so transferred.”

(d) DISCHARGE OR RETIREMENT OF WARRANT OFFICERS FOR YEARS OF SERVICE OR AGE.—(1) Each warrant officer of the Army, Navy, Air Force, or Marine Corps who is in an active status and has reached the maximum years of service or age prescribed by the Secretary concerned shall—

“(1) be transferred to the Retired Reserve if the warrant officer is qualified for such transfer and does not request (in accordance with regulations prescribed by the Secretary concerned) not to be transferred to the Retired Reserve; or

“(2) be discharged if the warrant officer is not qualified for transfer to the Retired Reserve or has requested (in accordance with regulations prescribed by the Secretary concerned) not to be so transferred.”.

(2) The table of sections at the beginning of such chapter is amended by adding at the end the following new item:

“12244. Warrant officers: discharge or retirement for years of service or for age.

“Each warrant officer of the Army, Navy, Air Force, or Marine Corps who is in an active status and has reached the maximum years of service or age prescribed by the Secretary concerned shall—

“(1) be transferred to the Retired Reserve if the warrant officer is qualified for such transfer and does not request (in accordance with regulations prescribed by the Secretary concerned) not to be transferred to the Retired Reserve; or

“(2) be discharged if the warrant officer is not qualified for transfer to the Retired Reserve or has requested (in accordance with regulations prescribed by the Secretary concerned) not to be so transferred.”

SEC. 12108. Enlisted members: discharge or retirement for years of service or for age.

“Each reserve enlisted member of the Army, Navy, Air Force, or Marine Corps who is in an active status and has reached the maximum years of service or age prescribed by the Secretary concerned shall—

“(1) be transferred to the Retired Reserve if the member is qualified for such transfer and does not request (in accordance with regulations prescribed by the Secretary concerned) not to be transferred to the Retired Reserve; or

“(2) be discharged if the member is not qualified for transfer to the Retired Reserve or has requested (in accordance with regulations prescribed by the Secretary concerned) not to be so transferred.”
requested (in accordance with regulations prescribed by the Secretary concerned) not to be so transferred.’’.

(2) The table of sections at the beginning of each chapter is amended by adding at the end the following new item:

‘‘12104. Enlisted members: discharge or retirement for years of service or for good conduct.’’

(g) EFFECTIVE DATE.—The amendments made by this section shall take effect on the first day of the first month that begins more than 180 days after the date of the enactment of this Act.

SEC. 518. SPACE-REQUIRED TRAVEL BY RESERVES ON MILITARY AIRCRAFT.

(a) CORRECTION OF IMPAIRMENT TO AUTHORIZED TRAVEL WITH ALLOWANCES.—Subsection (a) of section 661(b), United States Code, is amended by striking ‘‘annual training duty or’’ each place it appears.

(b) CONFIRMING AMENDMENTS.—The heading for section 662 and the item relating to such section in the table of sections at the beginning of chapter 1805 of such title, are each amended by striking the fourth, fifth, sixth, and seventh words.

SEC. 519. PAYMENT OF FEDERAL EMPLOYEE HEALTH BENEFIT PROGRAM PREMIUMS FOR CERTAIN RESERVISTS CALLED TO ACTIVE DUTY IN SUPPORT OF CONTINGENCY OPERATIONS.

(a) IN GENERAL.—Subsection (e) of section 8906 of title 5, United States Code, is amended by adding at the end the following new paragraph:

‘‘(3)(A) An employing agency may pay both the employee and Government contributions, and any additional administrative expenses otherwise chargeable to the employee, with respect to health care coverage for an employee described in subparagraph (B) and the family of such employee.

‘‘(B) An employee referred to in subparagraph (A) is an employee who—

‘‘(i) is enrolled in a health benefits plan under this chapter;

‘‘(ii) is a member of a reserve component of the armed forces;

‘‘(iii) is called or ordered to active duty in support of a contingency operation (as defined in section 101(a)(13) of title 10);’’.

(b) EFFECTIVE DATE.—The amendments made by this section shall take effect on the first day of the first month that begins more than 180 days after the date of the enactment of this Act.

SEC. 520. RETROACTIVE JOINT SERVICE CREDIT FOR DUTY IN CERTAIN JOINT TASK FORCES.

(a) AUTHORITY.—In accordance with section 664(i) of title 10, United States Code, as amended by section 522, the Secretary of Defense may award joint service credit to any officer who served on the staff of a United States joint task force headquarters in an operation and during the period set forth in subsection (b) and who meets the criteria specified in such section. To determine which such operations may be counted for credit under subsection (a), the Secretary shall undertake a case-by-case review of the records of officers.

(b) ELIGIBLE OPERATIONS.—Service in the following operations, during the specified periods, may be counted for credit under subsection (a):

(1) Operation Northern Watch, during the period beginning on August 1, 1992, and ending on a date to be determined.

(2) Operation Southern Watch, during the period beginning on August 27, 1992, and ending on a date to be determined.

(3) OperationRestore Hope, during the period beginning on June 26, 1993, and ending on February 28, 1999.

(4) Operation Joint Endeavor, during the period beginning on December 25, 1995, and ending on December 19, 1996.

(5) Operation Joint Guard, during the period beginning on December 20, 1996, and ending on June 20, 1998.


(9) Operation Northern Watch, beginning on June 11, 1999, and ending on a date to be determined.

(c) REPORT.—Not later than one year after the date of the enactment of this Act, the Secretary of Defense shall submit to Congress a report of the numbers, by service, grade, and operation, of the officers given joint service credit in accordance with this section.

SEC. 524. REVISION TO ANNUAL REPORT ON JOINT OFFICER MANAGEMENT.

Section 667 of title 10, United States Code, is amended—

(1) in paragraph (1)—

(A) by inserting ‘‘(A)’’ after ‘‘(I)’’; and

(B) by adding at the end the following new subparagraph:

‘‘(B) The number of officers who meet the criteria for selection for the joint specialty but were not selected, together with the reasons why.’’;

(2) by amending paragraph (2) to read as follows:

‘‘(2) The number of officers with the joint specialty, shown by grade and branch or specialty and by education.’’;

(3) in paragraph (3)—

(A) in subparagraph (A) and (B), by striking ‘‘nominated’’ and inserting ‘‘selected’’;

(B) by inserting ‘‘and’’ at the end of subparagraph (D);

(C) by striking subparagraph (E); and

(D) by redesignating subparagraph (F) as subparagraph (E).

(4) in paragraph (4)(A), by striking ‘‘nominated’’ and inserting ‘‘selected’’;

(5) in paragraph (14)—

(A) by inserting ‘‘(A)’’ after ‘‘(I)’’; and

(B) by adding at the end the following new subparagraph:

‘‘(B) An assessment of the extent to which the Secretary of each military department is assigning personnel to joint duty assignments in accordance with this chapter and the policies, procedures, and practices established by the Secretary of Defense under section 661(a) of this title and in paragraph (16), by striking ‘‘section 664(i)’’ in the matter preceding subparagraph (A) and in subparagraph (B) and inserting ‘‘subparagraphs (A) and (E) of section 664(i)(4)’’.

SEC. 525. REQUIREMENT FOR SELECTION FOR JOINT SPECIALTY BEFORE PROMOTION TO GENERAL OR FLAG OFFICER RANK.

(a) REQUIREMENT.—Subsection (a) of section 664(i) of title 10, United States Code, is amended—

(1) by striking ‘‘unless’’ and all that follows and inserting ‘‘unless—’’;

‘‘(i) the officer has completed a full tour of duty in a joint duty assignment (as described in section 664(f) of this title); and

‘‘(2) for appointments after September 30, 2007, the officer has been selected for the joint specialty in accordance with section 662 of this title.’’;

(b) WAIVER AUTHORITY.—Subsection (b) of that section is amended by striking ‘‘may waive paragraphs (a) in the following circumstances:’’ and inserting ‘‘may waive paragraphs (1) or (2) of subsection (a), or both paragraphs (1) and (2) of subsection (a), in the following circumstances:’’;

(c) PROPOSED LEGISLATIVE CHANGES.—Not later than December 1, 2002, the Secretary of Defense shall submit to Congress a draft proposal for such legislative changes as the Secretary considers necessary to implement the amendment made by subsections (a) and (b).

SEC. 526. INDEPENDENT STUDY OF JOINT OFFICER MANAGEMENT AND JOINT PROFESSIONAL MILITARY EDUCATION REFORMS.

(a) STUDY.—The Secretary of Defense shall provide for an independent study of the joint officer management system and the joint professional military education system. The Secretary shall ensure that the entity conducting the study is provided such information and support as required. The Secretary shall include in the
contract for the study a requirement that the entity conducting the study submit a report to Congress on the study not later than one year after the date of the enactment of this Act.

(2) FUNDING FOR JOINT OFFICER EDUCATION.—With respect to the joint professional military education system, the entity conducting the independent study shall provide for:

(A) The proper mix and sequencing of education programs and professional experience assignments (to include, with respect to both types of assignments, consideration of the type and quality, and the length, of such assignments) to qualify an officer in joint specialty officer roles, and

(B) The system of using joint specialty officers, including the continued utility of such measures as—

(i) the required fill of positions on the joint duty assignment list, as specified in paragraphs (1) and (2) of section 661(d) of title 10, United States Code;

(ii) the fill by such officers of a required number of critical billets, as prescribed by section 661(d)(2) of such title;

(iii) the mandated fill by general and flag officers of a minimum number of critical billets, as prescribed by section 661(d)(3) of such title; and

(iv) current promotion policy objectives for officers with the joint specialty, officers serving on the Joint Staff, and officers serving in joint duty assignments, as prescribed by section 662 of such title.

(C) Changes in policy and law required to provide officers the required joint specialty qualifications before promotion to general or flag officer grade.

(D) A determination of the number of reserve component officers who would be qualified for designation as a joint specialty officer by reason of experience or education if the standards of existing law, including waiver authorities, were applied to them, and recommendations for a process by which the Department of Defense could identify joint specialty officers.

(3) MATTERS TO BE INCLUDED WITH RESPECT TO JOINT PROFESSIONAL MILITARY EDUCATION.—With respect to the joint professional military education system, the entity conducting the independent study shall provide for the following:

(I) The number of officers who under the current system (A) qualified as joint specialty officers by completing professional military education programs before their first joint duty assignment, (B) qualified as joint specialty officers after arriving at their first joint duty assignment but before completing that assignment, and (C) qualified as joint specialty officers without any joint professional military education.

(II) Recommended initiatives (include changes in policy and law as necessary) to provide incentives and otherwise facilitate attendance at joint professional military education programs before an officer’s first joint duty assignment.

(3) Recommended goals for attendance at the Joint Forces Staff College en route to a first joint duty assignment.

(4) An assessment of the continuing utility of statutory requirements for use of officers following joint professional military education, as prescribed by section 662(d) of title 10, United States Code.

(5) Determination of whether joint professional military education programs should remain principally an in-resident, multi-service experience and what role non-resident or distributed learning can or should play in future professional military education programs.

(6) Examination of options for the length of and increased capacity at Joint Forces Staff College, and whether other in-resident joint professional military education programs should be opened, and if opened, how they might be properly accredited and overseen to provide instruction at the level of the program designated as “joint professional military education”.

(7) CHAIRMAN OF JOINT CHIEFS OF STAFF.—With respect to the roles of the Secretary of Defense and the Chairman of the Joint Chiefs of Staff, the entity conducting the independent study shall—

(A) Provide for an evaluation of the current roles of the Secretary of Defense and the Chairman of the Joint Chiefs of Staff, and joint staff in law, policy, and implementation with regard to establishing and maintaining oversight of joint officer manpower and policies, and joint professional military education; and

(B) Make recommendations to improve and strengthen those roles.

(8) REQUIRED STUDY ENTITY.—In providing for the independent study required by subsection (a), the Secretary of Defense shall ensure that the entity conducting the study—

(I) is not a Department of Defense organization; and

(II) shall, at a minimum, involve in the study, in an integral and effective fashion, the—

(A) The Chairman of the Joint Chiefs of Staff and available former Chairmen of the Joint Chiefs of Staff;

(B) Members and former members of the Joint Staff, the Armed Forces, the Congress, and congressional staff who are or who have been significantly involved in the development, implementation, or modification of joint officer management and joint professional military education;

(C) Experts in joint officer management and education from civilian academic and research centers.

SEC. 327. PROFESSIONAL DEVELOPMENT EDUCATION.—

(a) AUTHORITY FOR FUNDING.—The Secretary of Defense may permit eligible private sector employees who work in organizations relevant to national security to receive instruction at the National Defense University in accordance with this section. No more than the equivalent of 10 full-time student positions may be filled at any one time by private sector employees enrolled under this section. Upon successful completion of the course of instruction in which enrolled, any such private sector employee may be awarded an appropriate diploma or degree under section 2615 of title 10, United States Code.

(b) ELIGIBLE PRIVATE SECTOR EMPLOYEES.—For purposes of this section, an eligible private sector employee is one employed by a private firm that is engaged in providing to the Department of Defense or other Government departments or agencies significant and substantial services or whose work product is relevant to national security policy or strategy. A private sector employee admitted for instruction at the National Defense University remains eligible for such instruction only so long as that person remains employed by the same firm.

(c) ANNUAL CERTIFICATION BY SECRETARY OF DEFENSE.—Private sector employees may receive instruction at the National Defense University during any academic year only if, before the start of that academic year, the Secretary of Defense determines, and certifies to the Committee on Armed Services of the House of Representatives, that providing instruction to private sector employees during that year will further national security interests of the United States.

(d) PROGRAM REQUIREMENTS.—The Secretary of Defense shall require that—

(I) the curriculum for the professional military education program in which private sector employees may receive instruction is not readily available through other schools and concentrates on national security relevant issues; and

(II) all course offerings at the National Defense University continue to be determined solely by the needs of the Department of Defense.
"(e) Tuition.—The President of the National Defense University shall charge students enrolled under this section a rate—

(1) that is at least the rate charged for employment outside the Department of Defense, less infrastructure costs, and

(2) that considers the value to the school and course of the private sector student.

(f) Casual Wet.—While receiving instruction at the National Defense University, students enrolled under this section, to the extent practicable, are subject to the same regulations concerning academic performance, attendance, norms of behavior, and enrollment as apply to Government civilian employees receiving instruction at the university.

(g) Language Certification.—If a student is certified by the Secretary of Defense under section 9344 of title 10, United States Code, as compact, he may confer an Associate of Arts degree in a foreign language Center of the Institute who fulfills the requirements for that degree.

(h) Standards of Conduct.—(1) The item relating to any graduate of the Foreign Language Center of the Institute who fulfills the requirements for a degree is amended by adding "upon graduates of the Command and Staff College who fulfill the requirements for that degree.

(2) The heading of subsection (a) is amended to read as follows:

"7102. Marine Corps University: masters degrees; board of advisors.

(a) Certification of Programs.—The item relating to section 7102 of title 10, United States Code, as added by subsection (a)(1), is amended by striking "upon graduates" and all that follows and inserting "upon graduates of the Command and Staff College who fulfill the requirements for that degree.

(b) Compensation.—(1) The item relating to any graduate of the Foreign Language Center of the Institute who fulfills the requirements of the cost of instruction for a cadet under paragraph (2) of section 9344 of title 10, United States Code, as compact, is amended by striking "not more than 40 persons" and inserting "not more than 40 persons".

(c) Tuition.—(1) The item relating to any graduate under the authority of section 7102(b)(1) of title 10, United States Code, as added by subsection (a)(1), is amended by striking "not more than 40 persons" and inserting "not more than 60 persons"

(d) Effective Date.—The Secretary shall ensure that the board is established so as to meet all requirements of the appropriate regional accrediting association.

SEC. 534. INCREASE IN MAXIMUM AGE FOR APPOINTMENT AS A CADET OR MIDSHIPMAN IN SENIOR RESERVE OFFICERS' TRAINING CORPS SCHOLARSHIP PROGRAMS.

(a) General R.O.T.C. Scholarship Program.—Section 2167(a)(1) of title 10, United States Code, is amended—

(1) by striking "22 years of age on June 30" and inserting "22 years of age on December 31";

(2) by striking " , except that" and all that follows through "on such date" the second place it appears;

(b) Army Reserve and Army National Guard R.O.T.C. Scholarship Program.—Section 2167(a)(1) of title 10, United States Code, is amended—

(1) by striking "22 years of age on June 30" and inserting "22 years of age on December 31";

(2) by striking " , except that" and all that follows through "on such date" the second place it appears.

SEC. 535. PARTICIPATION OF REGULAR ENLISTED MEMBERS OF THE RESERVE COMPONENTS IN SENIOR RESERVE OFFICERS' TRAINING CORPS PROGRAM.

(a) Eligibility.—Section 2167(b)(2) of title 10, United States Code, is amended by striking "a reserve component of".
(b) PAY RATE WHILE ON FIELD TRAINING OR PRACTICE CRUISE.—Section 206(c) of title 37, United States Code, is amended by inserting before the period at the end the following: “; except that the rate for a cadet or midshipman who is a member of the regular component of an armed force shall be the rate of basic pay applicable to the member under section 203 of this title.”

SEC. 538. AUTHORITY TO MODIFY THE SERVICE OBULATION OF CERTAIN ROTC CADET OR MILITARY JUNIOR COLLEGES RECEIVING FINANCIAL ASSISTANCE.

(a) AUTHORITY TO MODIFY AGREEMENTS.—Subsection (b) of section 2107a of title 10, United States Code, is amended—

(1) by inserting “is” after “(b)”; and

(2) by redesignating paragraphs (1), (2), (3), (4), (5), and (6) as subparagraphs (A), (B), (C), (D), (E), and (F), respectively;

(b) MODIFICATION OF NURSE OFFICER PRACTICE CRUISE.—Section 2031(a)(1) of title 10, United States Code, as added by subsection (b)(1), by inserting before the term “cadet” the term “student”;

(2) in paragraph (1), by inserting “Secretary of Defense” in lieu of the term “Secretary of the Army”;

(c) TECHNICAL AMENDMENT.—Section 2107a of title 10, United States Code, as added by subsection (b), may be exercised with regard to any agreement described in paragraph (1) of section 2107a(b) of such section (including agreements related to participation in the Advanced Course of the Army Reserve Officers’ Training Corps at a military college or civilian institution) that was entered into during the period beginning on January 1, 1991, and ending on July 12, 2000 (in addition to any agreement described in that paragraph that is entered into on or after the date of the enactment of this Act).

SEC. 537. REPEAL OF LIMITATION ON NUMBER OF JUNIOR RESERVE OFFICERS’ TRAINING CORPS UNITS.

Section 203(a)(1) of title 10, United States Code, is amended by striking the second sentence.

SEC. 538. MODIFICATION OF NURSE OFFICER CANDIDATE ACCESSION PROGRAM RESTRICTION ON STUDENTS ATTENDING EDUCATIONAL INSTITUTIONS WITH SENIOR RESERVE OFFICERS’ TRAINING PROGRAMS.

Section 2107a of title 10, United States Code, is amended—

(1) in subsection (a)(2), by striking “does not have a Senior Reserve Officers’ Training Program established under section 202 of this title”; and

(2) in subsection (b)(1), by inserting before the semicolon at the end “or that has a Senior Reserve Officers’ Training Program for which the student is ineligible”.

SEC. 539. RESERVE HEALTH PROFESSIONALS STIPEND PROGRAM EXPANSION.

(a) PURPOSE.—Subsection (a) of section 1620 of title 10, United States Code, is amended—

(1) by striking “medical specialty” in lieu of the term “in a specialty”; and

(2) by striking “in such specialties” and inserting “that leads to a degree in medicine or dentistry or training in a health profession specialty that is critically needed in wartime”;

and

(3) by striking “training in certain health care specialties including health care education and training”;

(b) MEDICAL AND DENTAL STUDENT STIPEND.—Such section is further amended—

(1) by redesignating subsections (b), (c), (d), and (e) as subsections (c), (d), (e), and (f), respectively; and

(2) by inserting after subsection (a) the following new subsection (b):

“(b) MEDICAL AND DENTAL SCHOOL STUDENTS.—(1) Under the stipend program under this section, the Secretary of the military department concerned may enter into an agreement with a person—

(A) is eligible to be appointed as an officer in a reserve component of the military department concerned to serve and providing assistance in building the pool of participants in the Individual Ready Reserve; and

(B) is enrolled or has been accepted for enrollment in an institution in a course of study that results in a degree in medicine or dentistry;

(C) signs an agreement that, unless sooner separated, the person will—

(i) complete the educational phase of the program;

(ii) accept a reenlistment or redesignation within the person’s reserve component, if tendered, based on the person’s health profession, following satisfactory completion of the educational and intern programs; and

(iii) participate in a residency program; and

(D) the Secretary of Defense, agrees to apply for, if eligible, and accept, if offered, residency training in a health profession skill which has been designated by the Secretary of Defense as a critically needed wartime skill.

(2) Under the agreement—

(A) the Secretary of the military department concerned shall agree to pay the participant a stipend, in the amount determined under subparagraph (f), for the period that the student is satisfactorily progressing toward a degree in medicine or dentistry while enrolled in an accredited medical or dental school;

(B) the participant shall not be eligible to receive such stipend before appointment, designation, or assignment as an officer for service in the Ready Reserve;

(C) the participant shall be subject to such active duty requirements as may be specified in the agreement and to active duty in time of war or national emergency as provided by law for members of the reserve component designated by the Secretary of Defense as a specialty critically needed by the military department in wartime, the requirement to serve in the Selected Reserve may be reduced to one year for each year, or part thereof, for which the stipend was provided while enrolled in medical or dental school;”; and

(c) WARTIME CRITICAL SKILLS.—Such section is further amended—

(1) by inserting “wartime” after “critical” in the heading;

(2) by inserting “or has been appointed as a medical or dental officer in the Reserve or National Guard designated under the heading military force concerned” in paragraph (1)(B) before the semicolon; and

(3) by inserting the following new subsection (d):—

“(D) SERVICE OBLIGATION REQUIREMENT.—Paragraph (2)(D) of subsection (c) of such section (as redesignated by subsection (b)(1)) and paragraph (2)(D) of subsection (d) of such section (as so redesignated) are amended by striking “two years in the Ready Reserve for each calendar year” and inserting “one year in the Ready Reserve for each six months.”

(c) CROSS-REFERENCE.—Paragraph (2)(A) of subsection (c) of such section (as redesignated by paragraph (1)(B)(i) of subsection (d) of such section (as so redesignated) are amended by striking “subsection (e)” and inserting “subsection (f)”.

SEC. 540. HOUSING ALLOWANCE FOR AN INER年人 FOR THE CHALLENGE CRUISE AT THE UNITED STATES MILITARY ACADEMY.

(a) AUTHORITY.—The second sentence of section 4337 of title 10, United States Code, is amended by striking “the same allowances” and all that follows through “prescribed” and inserting “a monthly housing allowance in the same amount as the basic allowance for housing allowed to a lieutenant colonel.”

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall take effect on the first day on or after the date of the enactment of this Act.

Subtitle E—Recruiting and Accession Programs

SEC. 541. 18-MONTH ENLISTMENT PILOT PROGRAM

(a) IN GENERAL.—(1) Chapter 332 of title 10, United States Code, is amended by adding at the end the following section:

“§3264. 18-month enlistment pilot program

“(a) During the pilot program period, the Secretary of the Army shall carry out a pilot program with the objective of increasing the enlistment of prior service persons in the Selected Reserve and providing assistance in building the pool of participants in the Individual Ready Reserve.

“(b) Under the program, the Secretary may, notwithstanding section 505(c) of this title, accept persons for original enlistment in the Army for a term of enlistment consisting of 18 months service on active duty, to be followed by three years of service in the Selected Reserve and then service in the Individual Ready Reserve to complete the active duty obligation.

“(c) Under regulations and conditions established by the Secretary of the Army, a member enlisting under this section may, at the end of the enlistment period under this subsection, if the person elects to continue on active duty in the Selected Reserve and the Individual Ready Reserve or if the person elects to complete the active duty obligation under the terms of the member’s enlistment.

“(d) No more than 10,000 persons may be accepted for enlistment in the Army through the program under this section.

“(e) A person enlisting in the Army through the program under this section is eligible for an enlistment bonus under section 309 of title 37, notwithstanding the enlistment time period specified in subsection (b)(1) and paragraph (2)(A) of this section shall not be later than October 1, 2003, and ending on December 31, 2007.

“(f) For purposes of this section, the pilot program period is the period beginning on the date selected by the Secretary of the Army for the commencement of the enlistment under this section and shall be not later than October 1, 2003, and ending on December 31, 2007.

“(g) Not later than December 31, 2007, and December 31, 2012, the Secretary of the Army shall submit to the Committee on Armed Services of the Senate and the Committee on Armed Services of the House of Representatives a report on the program under this section. In such report, the Secretary shall set forth the views of the Secretary on the success of the program in meeting the objectives stated in subsection (a) of the program whose program is continued, or, if so, whether it should be modified or expanded.”

H9362

CONGRESSIONAL RECORD—HOUSE

December 12, 2001
December 12, 2001

CONGRESSIONAL RECORD—HOUSE

H9363

(2) The table of sections at the beginning of each chapter is amended by adding at the end the following new item:

"3264, 18-month enlistment pilot program.".

(b) IMPLEMENTATION REPORT. The Secretary of the Army shall submit to the Committee on Armed Services of the Senate and the Committee on Armed Services of the House of Representatives of the next session of Congress a report on the implementation of section 3264 of title 10, United States Code, as added by subsection (a). Such report shall be submitted not later than March 1, 2002.

SEC. 542. IMPROVED BENEFITS UNDER THE ARMY COLLEGE FIRST PROGRAM.

(a) INCREASED MAXIMUM PERIOD OF DELAYED ENTRY. (1) In subsection (b)(1) of section 513 of title 10, United States Code, or section 502(a) of title 32, United States Code, prescribed in section 10147(a)(1) of title 10, United States Code, as added by subsection (a), paragraph (4), and inserted in accordance with that subsection, "2 years" shall be equal to the amount of the delay under that section.

(b) DELAYED ENTRY WITH ALLOWANCE FOR HIGHER EDUCATION. Under the pilot program, the Secretary may—

"(1) exercise the authority under section 513 of title 10, United States Code;"

"(2) by redesignating paragraphs (1) and (2) as subparagraphs (A) and (B), respectively, and re-aligning those subparagraphs four lines from the left margin;

"(3) at the end of subparagraph (A), as so re-designated, by inserting "and" after the semi-colon;

"(4) in paragraph (B), as so redesignated, by striking "two years after the date of such enlistment as a Reserve under paragraph (1)" and inserting "the maximum period of delay determined for that person under subsection (c);"

and

(2) in subsection (c)—

(A) by striking paragraph (2) and inserting "paragraph (4)";

(B) by striking "two-year period" and inserting "30-month period"; and

(C) by striking paragraph (1) and inserting paragraph (1)(A); and

(b) ALLOWANCE ELIGIBILITY AND AMOUNT.—(1) Such section is further amended—

(A) in subsection (b), by striking paragraph (3) and inserting the following:

"(3) subject to paragraph (2) of subsection (d) and except as provided in paragraph (6) of that subsection, in the case of a person accepted for enlistment under paragraph (1)(A) for each month of the period during which that person is enrolled in and pursuing a program described in subsection (B) and

(B) in subsection (d)—

(i) by redesigning paragraph (2) as paragraph (4); and

(ii) by striking paragraph (1) and inserting the following new paragraphs:

"(1) The monthly allowance paid under subsection (b)(2) shall be equal to the amount of the subsistence allowance provided for certain members of the Senior Reserve Officers' Training Corps with the corresponding number of years of participation under section 209(a) of title 37, United States Code.

(2) An allowance may not be paid to a person under this section for more than 24 months.

(3) The Secretary of the Selected Reserve of a re-serve component may be paid an allowance under this section only for months during which the member performs satisfactorily as a member of a unit of the reserve component that trains as prescribed in section 10147(a)(1) of title 10, United States Code, or section 502(a) of title 32, United States Code. Satisfactory performance shall be determined under regulations prescribed by the Secretary.".

(2) The heading for such subsection is amended by striking "AMOUNT OF".

(c) INDEBTEDNESS FOR LOAN REPAYMENTS; RECUPMENT.—Such section is further amended—

(1) by redesignating subsections (e), (f), and (g) as subsections (g), (h), and (i), respectively; and

(2) by inserting after subsection (d) the following new subsections:

"(e) INDEBTEDNESS FOR LOAN REPAYMENTS.—A person who has received an allowance under this section is not eligible for any benefits under chapter 109 of title 32, United States Code, (f) RECUPMENT OF ALLOWANCE.—(1) A person who, after receiving an allowance under this section, fails to complete the total period of service required after the date of entry in connection with delayed entry authorized for the person under section 513 of title 10, United States Code, shall repay to the amount which bears the same ratio to the total amount of that allowance paid to the person as the unserved part of the total required period of service bears to the total period of service required under that section.

"(2) An obligation to repay the United States imposed under paragraph (1) is for all purposes a debt owed to the United States.

(3) A discharge of a person in bankruptcy under title 11, United States Code, that is entered less than five years after the date on which the person was, or was to be, enlisted in the regular Army pursuant to the delayed entry authority under section 513 of title 10, United States Code, does not discharge that person from a debt arising under paragraph (1).

(4) The Secretary may waive, in whole or in part, a debt arising under paragraph (1) in any case for which the Secretary determines that recovery would be against equity and good conscience, or would be contrary to the best interests of the United States.

(d) EFFECTIVE DATE.—The amendments made by this section shall apply with respect to persons whose enlistment under the enactment of this Act, are enlisted as described in subsection (a) of section 513 of title 10, United States Code, with delayed entry authorized under that section.

SEC. 543. CORRECTION AND EXTENSION OF CERTAIN ARMY RECRUITING PILOT PROGRAM AUTHORITY.

(a) CONTRACT RECRUITING INITIATIVES.—Subsection (d)(2) of section 561 of the Floyd D. Spence National Defense Authorization Act for Fiscal Year 2001 (as enacted into law by Public Law 106–196; 114 Stat. 1654–130) is amended—

(1) in paragraphs (A) and (D), by inserting "Army Reserve" after "Regular Army"; and

(2) in subparagraph (B), by striking "and chain of command".

(b) EXTENSION OF AUTHORITY.—Subsection (e) of such section is amended—

(1) by striking "December 31, 2005" and inserting "September 30, 2007";

(2) by inserting "the Secretary shall submit to the Committee on Armed Services of the Senate and the Committee on Armed Services of the House of Representatives a report on the findings of the review. The report shall include the following with respect to persons described in subsection (a):

(A) a statement of the process and detailed procedures followed by each of the Armed Forces under the jurisdiction of the Secretary of a military department to provide health care and disability benefits to all persons injured in training, education, or other types of programs conducted by the Secretary of a military department.

(b) REPORT.—Not later than March 1, 2002, the Secretary shall submit to the Committee on Armed Services of the Senate and the Committee on Armed Services of the House of Representatives a report on the findings of the review. The report shall include the following with respect to persons described in subsection (a):

(1) a statement of the process and detailed procedures followed by each of the Armed Forces under the jurisdiction of the Secretary of a military department to provide health care and disability benefits to all persons injured in training, education, or other types of programs conducted by the Secretary of a military department.

(c) REQUIRED REPORT TO LOCAL EDUCATIONAL AGENCIES.—With respect to any pilot program conducted under section 503 of title 10, United States Code, as in effect upon the amendments made by subsection (a). Each local educational agency shall notify parents of the rights provided under the preceding sentence.

(b) EFFECTIVE DATE.—The amendment made by subsections (a) shall take effect on July 1, 2002, immediately after the amendment to section 503(c) of title 10, United States Code, made, effective that date, by section 563(a) of the Floyd D. Spence National Defense Authorization Act for Fiscal Year 2001 (as enacted into law by Public Law 106–196; 114 Stat. 1654–131).

(c) NOTIFICATION.—The Secretary of Education shall provide to local educational agencies notice of the provisions of subsection (c) of section 503 of title 10, United States Code, as in effect upon the amendments made by subsection (a). Such notice shall be provided not later than 120 days after the date of the enactment of this Act and shall be provided in consultation with the Secretary of Defense.

SEC. 544. PERMANENT AUTHORITY FOR USE OF MILITARY RECRUITING FUNDS FOR CERTAIN EXPENSES AT DEPARTMENT OF DEFENSE RECRUITING PROGRAMS.

(a) REPEAL OF TERMINATION PROVISION.—Section 520(e) of title 10, United States Code, is amended by striking subsection (e).

(b) TECHNICAL AMENDMENTS.—Subsection (a) of such section is amended—

(i) in paragraph (4), by striking "recruiting events" and inserting "recruiting functions"; and

(ii) in paragraph (5), by striking "recruiting efforts" and inserting "the first place it appears and inserting "recruiting functions".

SEC. 545. REPORT ON HEALTH AND DISABILITY BENEFITS FOR MILITARY RECRUITING PILOT PROGRAM TRAINING AND EDUCATION PROGRAMS.

(a) STUDY.—The Secretary of Defense shall conduct a review of the health and disability benefit programs available to recruits and officer candidates engaged in training, education, or other types of programs while not on active duty and to cadets and midshipmen attending the service academies. The review shall be conducted with the participation of the Secretaries of the military departments.

(b) REPORT.—Not later than March 1, 2002, the Secretary shall submit to the Committee on Armed Services of the Senate and the Committee on Armed Services of the House of Representatives a report on the findings of the review. The report shall include the following with respect to persons described in subsection (a):

(1) a statement of the process and detailed procedures followed by each of the Armed Forces under the jurisdiction of the Secretary of a military department to provide health care and disability benefits to all persons injured in training, education, or other types of programs conducted by the Secretary of a military department.

(2) a statement of the total number of cases of such persons requiring health care and disability benefits and the total number of cases and average value of health care and disability benefits provided under each source of benefit available to those persons.

(c) A discussion of the issues regarding health and disability benefits encountered by the Secretary during the review, to include discussions with individuals who have received those benefits.

(d) A statement of the process and detailed procedures followed by each of the Armed Forces under the jurisdiction of the Secretary of a military department to provide recruits and officer candidates with information on the eligibility requirements (including information on when they become eligible) for health
care benefits under the Defense health care program, and the nature and availability of the benefits under the program.

(5) A discussion of the necessity for legislative changes and the legislative proposals recommended to improve the benefits provided those persons.

(6) An analysis of health and disability benefits under law administered by the Department of Veterans Affairs and the Department of Labor for which those persons become eligible upon being injured in training or education and a discussion following the provisions that compare to the benefits those persons would receive if required for physical disability by the Department of Defense.

Subtitle F—Decorations, Awards, and Posthumous Commissions

SEC. 551. AUTHORITY FOR AWARD OF THE MEDAL OF HONOR TO HUMBERT R. VERSACE, JON E. SWANSON, AND BEN L. SALOMON FOR VALOR.

(a) WAIVER OF TIME LIMITATIONS.—Notwithstanding the time limitations specified in section 3744 of title 10, United States Code, or any other time limitation with respect to the awarding of certain medals to persons who served in the military service, the President may award the Medal of Honor to: Section 3744 of title 10, United States Code, to any of the persons named in subsections (b), (c), and (d) for the acts of valor referred to in those subsections.

(b) HUMBERT R. VERSACE.—Subsection (a) applies with respect to Humbert R. Versace, for conspicuous acts of gallantry and intrepidity at the risk of his life above and beyond the call of duty on October 29, 1963, and September 26, 1965, while interred as a prisoner of war by the Vietnamese Communist National Liberation Front (Viet Cong) in the Republic of Vietnam.

(c) JON E. SWANSON.—Subsection (a) applies with respect to Jon E. Swanson, for conspicuous acts of gallantry and intrepidity at the risk of his life above and beyond the call of duty on February 14, 1966.

(d) BEN L. SALOMON.—Subsection (a) applies with respect to Ben L. Salomon, for conspicuous acts of gallantry and intrepidity at the risk of his life above and beyond the call of duty on February 14, 1966.

SEC. 552. REVIEW REGARDING AWARD OF MEDAL OF HONOR TO CERTAIN JEWISH AMERICAN AND HISPANIC AMERICAN WAR VETERANS.

(a) REVIEW REQUIRED.—The Secretary of each military department shall review the service records of each Jewish American war veteran or Hispanic American war veteran described in subsection (b) to determine whether that veteran should be awarded the Medal of Honor.

(b) COVERED JEWISH AMERICAN WAR VETERANS AND HISPANIC AMERICAN WAR VETERANS.—The Jewish American war veterans and Hispanic American war veterans whose service records are to be reviewed under subsection (a) are the following:

(1) TO THE JEWISH AMERICAN WAR VETERAN who was awarded the Distinguished Service Cross, the Navy Cross, or the Air Force Cross before the date of the enactment of this Act.

(2) Any other Jewish American war veteran or Hispanic American war veteran whose name is submitted to the Secretary concerned for such purpose by the Adjutant General of the one-year period beginning on the date of the enactment of this Act.

(c) CONSULTATIONS.—In carrying out the review under subsection (a), the Secretary of each military department shall consult with the Jewish War Veterans of the United States of America and with such other veterans service organizations as the Secretary considers appropriate.

(d) RECOMMENDATION BASED ON REVIEW.—If the Secretary concerned determines, based upon the review conducted under subsection (a) of the service records of any Jewish American war veteran or Hispanic American war veteran, that the award of the Medal of Honor to that veteran is warranted, the Secretary shall submit to the President a recommendation that the President award the Medal of Honor to that veteran.

(e) AUTHORITY TO AWARD MEDAL OF HONOR.—The President shall award such a medal to a Jewish American war veteran or Hispanic American war veteran in accordance with a recommendation of the Secretary concerned under subsection (d).

(f) WAIVER OF TIME LIMITATIONS.—An award of the Medal of Honor may be made under subsection (e) without regard to—

(1) section 3744, 3748, or 3744g of title 10, United States Code, as applicable; and

(2) any regulation or other administrative restriction on—

(A) the time for awarding the Medal of Honor; or

(B) the awarding of the Medal of Honor for service for which a Distinguished Service Cross, Navy Cross, or Air Force Cross has been awarded.

(g) DEFINITION.—For purposes of this section, the term ‘‘Jewish American war veteran’’ means any person who served in the Armed Forces during World War II or a later period of war and who identified himself or herself as Jewish on the basis of his or her religious affiliation.

SEC. 553. AUTHORITY TO ISSUE DUPLICATE MEDALS OF HONOR AND TO REPLACE STOLEN MILITARY DECORATIONS.

(a) ARMY.—Chapter 137 of title 10, United States Code, is amended by adding at the end the following new section:

"§3754. Medal of honor: duplicate medal.

"A person awarded a medal of honor shall, upon written application of that person, be issued, without charge, one duplicate medal of honor with ribbons and appurtenances. Such duplicate medal of honor shall be marked, in such manner as the Secretary of the Army may determine, as a duplicate or for display purposes only.

"(B) The table of sections at the beginning of this chapter must be changed to conform to the table of sections in effect prior to the amendment of this section by this Act.

(b) NAVY AND MARINE CORPS.—(1) Chapter 567 of title 10, United States Code, is amended by adding at the end the following new section:

"§6256. Medal of honor: duplicate medal.

"A person awarded a medal of honor shall, upon written application of that person, be issued, without charge, one duplicate medal of honor with ribbons and appurtenances. Such duplicate medal of honor shall be marked, in such manner as the Secretary of the Navy may determine, as a duplicate or for display purposes only.

"(B) The table of sections at the beginning of this chapter must be changed to conform to the table of sections in effect prior to the amendment of this section by this Act.

(c) AIR FORCE.—(1) Chapter 3 of title 14, United States Code, is amended by adding at the end the following new section:

"§8754. Medal of honor: duplicate medal.

"A person awarded a medal of honor shall, upon written application of that person, be issued, without charge, one duplicate medal of honor with ribbons and appurtenances. Such duplicate medal of honor shall be marked, in such manner as the Secretary of the Air Force may determine, as a duplicate or for display purposes only.

"(B) The table of sections at the beginning of this chapter must be changed to conform to the table of sections in effect prior to the amendment of this section by this Act.

SEC. 554. RETROACTIVE MEDAL OF HONOR SPECIAL PENSION.

(a) ENTITLEMENT.—Notwithstanding any provision of law, Robert R. Ingram of Jacksonville, Florida, who was awarded the Medal of Honor pursuant to Public Law 105-103 (111 Stat. 2218), shall be entitled to the special pension provided for under section 1562 of title 38, United States Code (and antecedent provisions of law), for months that begin after March 1990.

(b) AMOUNT.—The amount of the special pension payable under subsection (a) for a month beginning before the date of the enactment of this Act shall be the amount of special pension provided for by law for that month for persons entered and recorded in the Army, Navy, Air Force, and Coast Guard Medal of Honor Roll (or antecedent Medal of Honor Roll) on or before March 1990.

SEC. 555. WAIVER OF TIME LIMITATIONS FOR AWARD OF CERTAIN DECORATIONS TO CERTAIN PERSONS.

(a) WAIVER.—Any limitation established by law or policy for the time within which a recommendation for the award of a military decoration or award must be submitted shall not apply to awards of decorations described in this section, the award of each such decoration having been determined by the Secretary concerned to be warranted in accordance with section 1303 of title 10, United States Code.

(b) SILVER STAR.—Subsection (a) applies to the award of the Silver Star to Wayne T. Alderson, of Glassport, Pennsylvania, for gallantry in action from March 15 to March 18, 1945, while serving as a member of the Army.

(c) DISTINGUISHED FLYING CROSS.—Subsection (a) applies to the award of the Distinguished Flying Cross for service in World War II (including multiple awards to the same individual) in the case of each individual concerning whom the Secretary of the Navy (or an officer acting as the Secretary) submitted to the Committee on Armed Services of the House of Representatives and the Committee on Armed Services of the Senate a report pursuant to section 343 of title 10, United States Code.
Congressional Record — House

December 12, 2001

Committee on Armed Services of the Senate, during the period beginning on October 30, 2000, and ending on the day before the date of the enactment of this Act, a notice as provided in section 119 of title 5, United States Code, that the award of the Distinguished Flying Cross to that individual is warranted and that a waiver of time restrictions prescribed by law for recommendations of awards is required is recommended.

SEC. 556. SENSE OF CONGRESS ON ISSUANCE OF CERTAIN MEDALS.

It is the sense of Congress that the Secretary of Defense should authorize,

(1) the issuance of a campaign medal, to be known as the Korea Defense Service Medal, to each person who while a member of the Armed Forces served in the Republic of Korea or waters adjacent thereto, during the period beginning on July 28, 1954, and ending on such date thereafter as the Secretary considers appropriate,

(2) the issuance of a campaign medal, to be known as the Cold War Service Medal, to each person who while a member of the Armed Forces served satisfactorily on active duty during the Cold War;

(3) the award of the Vietnam Service Medal to any member or former member of the Armed Forces who was awarded the Armed Forces Expeditionary Medal for participation in military operations designated as Operation Frequent Wind arising from the evacuation of Vietnam on April 29, 1975.

SEC. 557. SENSE OF CONGRESS ON DEVELOPMENT OF A MORE COMPREHENSIVE, UNIFIED POLICY FOR THE AWARD OF DECORATIONS TO MILITARY AND CIVILIAN PERSONNEL OF THE DEPARTMENT OF DEFENSE.

(a) FINDINGS.—Congress makes the following findings:

(1) The role and importance of civilian nationals of the United States as Federal employees and contractors in support of operations worldwide of the Armed Forces has continued to expand.

(2) The expanded role performed by these civilians, both in the United States and overseas, has greatly increased the risk to those civilians of injury and death from hostile actions taken against United States Armed Forces, as demonstrated by the terrorist attack on the Pentagon on September 11, 2001, in which scores of Department of Defense civilian and contractor personnel were killed or wounded.

(3) On September 20, 2001, the Deputy Secretary of Defense approved the creation of a new award, a medal for the defense of freedom, to be awarded to civilians employed by the Department of Defense who are killed or wounded as a result of hostile action and at the same time directed that a comprehensive review be conducted to develop a more uniform approach to the award of decorations to military and civilian personnel of the Department of Defense.

(b) COMMENDATION OF CREATION OF A NEW MEDAL.—The Secretary of Defense is commended for the decision announced on September 20, 2001, to approve the creation of a new award, a medal for the defense of freedom, to be awarded to civilians employed by the Department of Defense who are killed or wounded as a result of hostile action.

(c) SENSE OF CONGRESS.—It is the sense of Congress that the Secretary of Defense should act expeditiously to develop a more comprehensive, uniform policy for the award of decorations to military and civilian personnel of the Department of Defense.

SEC. 558. POSTHUMOUS ARMY COMMISSION IN THE GRADE OF CAPTAIN IN THE CHAPLAINS CORPS TO ELLA E. GIBSON.—(a) DESIGNATION OF MEDAL.—The first Wisconsin Heavy Artillery Regiment during the Civil War.

The President is authorized and requested to posthumously appoint Ella E. Gibson to the grade of captain in the Chaplains Corps of the Army, the commission to issue as of the date of her appointment as chaplain to the First Wisconsin Heavy Artillery regiment during the Civil War and to furnish to her a civilian uniform for persons participating in a funeral honors detail.

Subtitle H—Military Spouses and Family Members

SEC. 571. IMPROVED FINANCIAL AND OTHER ASSISTANCE TO MILITARY SPOUSES FOR JOB TRAINING AND EDUCATION.

(a) EXAMINATION OF EXISTING EMPLOYMENT ASSISTANCE PROGRAMS.—(1) The Secretary of Defense shall examine existing Department of Defense and other Federal, State, and non-governmental programs with the objective of improving retention of military personnel by increasing the employability of military spouses and assisting those spouses to access financial and other assistance for job training and education.

(2) In conducting the examination, the Secretary shall give priority to facilitating and increasing access of military spouses to existing Department of Defense, Federal, State, and governmental assistance for the types of financial assistance set forth in paragraph (3), but shall also specifically assess whether the Department of Defense should begin a program for direct financial assistance to military spouses for all of the types of assistance and whether such a program of direct financial assistance would enhance retention.

(b) FUNDING OF PROGRAM.—Not later than March 30, 2002, the Secretary of Defense shall submit to the Committee on Armed Services of the Senate and the Committee on Armed Services of the House of Representatives a report on the results of the examination under paragraph (1).

(c) REVIEW OF DEPARTMENT OF DEFENSE POLICIES.—(1) The Secretary of Defense shall review Department of Defense policies that affect employment and education opportunities for military spouses in the Department of Defense in order to further expand those opportunities. The review shall include the consideration of providing, to the extent authorized by law, separate spouse preferences for employment by appropriated and nonappropriated fund operations.

(2) Not later than March 30, 2002, the Secretary of Defense shall submit to the Committee on Armed Services of the Senate and the Committee on Armed Services of the House of Representatives a report on the results of the review under paragraph (1).

(d) SPOUSE EMPLOYMENT ASSISTANCE.—(1) The Secretary of Defense shall provide employment assistance to military spouses, to the extent authorized by law, for employment in the Department of Defense.

(2) The Secretary shall report to the Committee on Armed Services of the Senate and the Committee on Armed Services of the House of Representatives on the results of the report under paragraph (1).

(e) SPACE-AVAILABLE USE OF FACILITIES FOR SPOUSE TRAINING PURPOSES.—(1) The Secretary of Defense shall provide space available use of facilities.

(2) The Secretary shall report to the Committee on Armed Services of the Senate and the Committee on Armed Services of the House of Representatives on the results of the report under paragraph (1).

(f) EMPLOYMENT BY OTHER FEDERAL AGENCIES.—(1) The Secretary of Defense shall with
the Director of the Office of Personnel Management and the heads of other Federal departments and agencies to expand and facilitate the use of existing Federal programs and resources in support of armed forces families and members. 

(4) PRIVATE-SECTOR EMPLOYMENT.—The Secretary of Defense—

(1) shall seek to develop partnerships with firms in the private sector to enhance employment opportunities for spouses of members of the armed forces and to provide for improved job placement and training, especially in the case of the spouse of a member of the armed forces accompanying the member to a new geographical area because of a change of permanent duty station of the member; and

(2) shall work with the United States Chamber of Commerce and other appropriate private-sector entities to facilitate the formation of such partnerships.

(g) EMPLOYMENT WITH DOD CONTRACTORS.—The Secretary of Defense shall examine and seek ways for incorporating hiring preferences for qualified spouses of members of the armed forces into contracts between the Department of Defense and private-sector entities.

SEC. 572. PERSONS AUTHORIZED TO BE INCLUDED IN SURVEYS OF MILITARY FAMILIES REGARDING FEDERAL PROGRAMS AND SERVICES

(a) EXTENSION OF SURVEY AUTHORITY.—Subsection (a) of section 1782 of title 10, United States Code, is amended to read as follows:

"(1) members of the armed forces who are on active duty, in an active status, or retired;

(2) former members of such members; and

(3) survivors of deceased retired members and of members who died while on active duty."

(b) EFFECTIVE DATE.—Subsection (c) of such section is amended to read as follows:

"FEDERAL RECORDKEEPING REQUIREMENTS.—With respect to a survey authorized under subsection (a) that includes a person referred to in that subsection who is not an employee of the United States for the purposes of the section, the Secretary of Defense shall examine and seek ways for incorporating hiring preferences of qualified spouses of members of the armed forces into contracts between the Department of Defense and private-sector entities."
SEC. 592. PER DIEM ALLOWANCE FOR LENGTHY OR NUMEROUS DEPLOYMENTS.-(a) FINDING FOR ALLOWANCE.—Section 436(a)(1) of title 37, United States Code, is amended by adding at the end the following new paragraph:—

(1) a discussion of the experience in tracking and representing members of the Armed Forces and the payment of the per diem allowance for lengthy or numerous deployments in accordance with section 436 of title 37, United States Code;

(2) specific comments regarding the effect of section 991 of title 10, United States Code, and section 436 of title 37, United States Code, on the readiness of the Army and Marine Corps given the deployment intensive mission of these services; and

(3) any recommendations for revision of section 991 of title 10, United States Code, or section 436 of title 37, United States Code, that the Secretary considers appropriate.

(b) EXPANDED REPORT REGARDING MANAGEMENT OF INDIVIDUAL MEMBER DEPLOYMENTS.—Section 574(d) of the Floyd D. Spence National Defense Authorization Act for Fiscal Year 2001 (as enacted into law by Public Law 106–398, 114 Stat. 1654A–1) is amended in the second sentence by striking paragraphs (1) and (2) and inserting the following new paragraphs:

(1) a discussion of the experience in tracking and representing members of the Armed Forces and the payment of the per diem allowance for lengthy or numerous deployments in accordance with section 436 of title 37, United States Code;

(2) specific comments regarding the effect of section 991 of title 10, United States Code, and section 436 of title 37, United States Code, on the readiness of the Army and Marine Corps given the deployment intensive mission of these services; and

(3) any recommendations for revision of section 991 of title 10, United States Code, or section 436 of title 37, United States Code, that the Secretary considers appropriate.

(c) EFFECTIVE DATE.—The amendments made by subsection (a) shall take effect on October 1, 2002.

(b) STARBASE PROGRAM.—Section 2192(b)(1) of title 10, United States Code, is amended—

(1) by inserting “(1)” before “The Secretary’’;

(2) by striking “in a fiscal year” and inserting “in fiscal year 2001 or 2002’’; and

(3) by adding at the end the following new paragraph:

(4) The Secretary of Defense shall remain the executive agent to carry out the National Guard Challenge Program regardless of the source of funds for the program or any transfer of jurisdiction over the program within the executive branch. As provided in subsection (a), the Secretary may use the National Guard to conduct the program.

(c) REPEAL OF CONTINGENT FUNDING FOR JROTC.—(1) Section 2033 of title 10, United States Code, is repealed.

(2) The table of sections at the beginning of chapter 109 of title 10, United States Code, shall be revised to reflect the repeal of section 2033 of title 10, United States Code.

(3) The amendments made by this subsection shall take effect on October 1, 2002.

SEC. 596. CONTINUED DEPARTMENT OF DEFENSE AUTHORIZATION FOR NATIONAL GUARD CHALLENGE PROGRAM AND DEPARTMENT OF DEFENSE STARBASE PROGRAM.—

(a) NATIONAL GUARD CHALLENGE PROGRAM.—Section 590(b) of title 32, United States Code, is amended—

(1) in paragraph (2)(A), by striking “in a fiscal year’’ and inserting “in fiscal year 2001 or 2002’’; and

(2) by adding at the end the following new paragraph:

(4) The Secretary of Defense shall remain the executive agent to carry out the National Guard Challenge Program regardless of the source of funds for the program or any transfer of jurisdiction over the program within the executive branch. As provided in subsection (a), the Secretary may use the National Guard to conduct the program.

(b) STARBASE PROGRAM.—Section 2192(b)(1) of title 10, United States Code, is amended—

(1) by inserting “(1)” before “The Secretary’’;

(2) by striking “in a fiscal year” and inserting “in fiscal year 2001 or 2002’’; and

(3) by adding at the end the following new paragraph:

(4) The Secretary of Defense shall remain the executive agent to carry out the National Guard Challenge Program regardless of the source of funds for the program or any transfer of jurisdiction over the program within the executive branch. As provided in subsection (a), the Secretary may use the National Guard to conduct the program.

(c) REPEAL OF CONTINGENT FUNDING FOR JROTC.—(1) Section 2033 of title 10, United States Code, is repealed.

(2) The table of sections at the beginning of chapter 109 of title 10, United States Code, shall be revised to reflect the repeal of section 2033 of title 10, United States Code.

(3) The amendments made by this subsection shall take effect on October 1, 2002.

(a) FINDINGS.—Congress makes the following findings:

(1) The Goldwater-Nichols Department of Defense Reorganization Act of 1986 (Public Law 99-433) envisioned that officers would be selected for recommendation to the President for appointment as the commander of a combatant command under chapter 6 of title 10, United States Code, on the basis of being the best qualified officer for that position, rather than the best qualified officer of the armed force that had historically supplied officers to serve in that position.

(2) In order to provide for greater competition among the Armed Forces for selection of officers for assignment as the commanders of the combatant commands and assignment to certain other joint positions, the grade of general or admiral, Congress provided temporary relief from the limitation on the number of officers serving on active duty in the grade of general or admiral in section 435 of the National Defense Authorization Act for Fiscal Year 1995 and thereafter extended that relief until September 30, 2003, but has also required that the Secretary of Defense be furnished the name of at least one officer from each of the Armed Forces for consideration for appointment to each such position.

(3) Most of the positions of commanders of the combatant commands have been filled successively by officers of more than one of the Armed Forces since the enactment of the Goldwater-Nichols Department of Defense Reorganization Act of 1986.

(b) EFFECTIVE DATE.—The United States Transportation Command could benefit from the appointment of future commanders selected from the Army, Navy and Marine Corps, in all branches.

(c) SEPARATE CONSIDERATION.—It is the sense of Congress that the Secretary of Defense, when considering officers for recommendation to the President for appointment as commander of the United States Transportation Command, should not rely upon officers of one service which has traditionally provided officers to fill that position but should select for recommendation the best qualified officer of the Army, Navy, Air Force, or Marine Corps.
Sec. 617. Secretarial discretion in prescribing submarine duty incentive pay rates.

Sec. 618. Conforming accession bonus for dental officers authority with authorities for other special pay and bonuses.

Sec. 619. Modification of eligibility requirements for Individual Ready Reserve bonus for reenlistment, enlistment, or extension of enlistment.

Sec. 620. Installment payment authority for 15-year career status bonus.

Sec. 621. Accession bonus for new officers in critical skills.

Sec. 622. Education savings plan to encourage reenlistments and extensions of service in critical specialties.

Sec. 623. Continuation of payment of special and incentive pay at unreduced rates during stop loss periods.

Sec. 624. Retroactive authorization for imminent danger pay for service in connection with Operation Enduring Freedom.

Subtitle C—Travel and Transportation Allowances

Sec. 631. Minimum per diem rate for travel and transportation allowance for travel performed upon a change of permanent station and certain other travel.

Sec. 632. Eligibility for payment of subsistence expenses associated with occupancy of temporary lodging incident to reporting to first permanent duty station.

Sec. 633. Reimbursement of members for mandatory pet quarantine fees for household pets.

Sec. 634. Increased weight allowance for transportation of baggage and household effects for junior enlisted members.

Sec. 635. Eligibility of additional members for dislocation allowance.

Sec. 636. Partial dislocation allowance authorized for housing moves ordered for Government convenience.

Sec. 637. Allowances for travel performed in connection with members taking authorized leave between consecutive overseas tours.

Sec. 638. Travel and transportation allowances for family members to attend burial of a deceased member of the uniformed services.

Sec. 639. Funded student travel for foreign study under an education program approved by a United States school.

Subtitle D—Retirement and Survivor Benefit Matters

Sec. 641. Contingent authority for concurrent receipt of military retired pay and veterans' disability compensation and enhancement of special compensation authority.

Sec. 642. Survivor Benefit Plan annuities for surviving spouses of members who die while on active duty and not eligible for retirement.

Subtitle E—Other Matters

Sec. 651. Payment for unused leave in excess of 60 days accrued by members of reserve components on active duty for one year or less.

Sec. 652. Additional authority to provide assistance for families of members of the Armed Forces.

Sec. 653. Authorization of transitional compensation and commissary and exchange benefits for dependents of commissioned officers of the Public Health Service and the National Oceanic and Atmospheric Administration who are separated for dependent abuse.

Sec. 654. Transfer of entitlement to educational assistance under Montgomery GI Bill by members of the Armed Forces with critical military skills.

Subtitle A—Pay and Allowances

SEC. 601. INCREASE IN BASIC PAY FOR FISCAL YEAR 2002.

(a) WAIVER OF SECTION 1009 ADJUSTMENT.—The adjustment to become effective during fiscal year 2002 required by section 1009 of title 37, United States Code, in the rates of monthly basic pay authorized members of the uniformed services shall not be made.

(b) INCREASE IN BASIC PAY.—Effective on January 1, 2002, the rates of monthly basic pay for members of the uniformed services within each pay grade are as follows:
### COMMISSIONED OFFICERS

#### YEARS OF SERVICE COMPUTED UNDER SECTION 205 OF TITLE 37, UNITED STATES CODE

<table>
<thead>
<tr>
<th>Pay Grade</th>
<th>2 or less</th>
<th>Over 2</th>
<th>Over 3</th>
<th>Over 4</th>
<th>Over 6</th>
<th>Over 8</th>
<th>Over 10</th>
<th>Over 12</th>
<th>Over 14</th>
<th>Over 16</th>
<th>Over 18</th>
<th>Over 20</th>
<th>Over 22</th>
<th>Over 24</th>
<th>Over 26</th>
</tr>
</thead>
<tbody>
<tr>
<td>O-10</td>
<td>$0.00</td>
<td>$0.00</td>
<td>$0.00</td>
<td>$0.00</td>
<td>$0.00</td>
<td>$0.00</td>
<td>$0.00</td>
<td>$0.00</td>
<td>$0.00</td>
<td>$0.00</td>
<td>$0.00</td>
<td>$0.00</td>
<td>$0.00</td>
<td>$0.00</td>
<td>$0.00</td>
</tr>
<tr>
<td>O-9</td>
<td>$0.00</td>
<td>$0.00</td>
<td>$0.00</td>
<td>$0.00</td>
<td>$0.00</td>
<td>$0.00</td>
<td>$0.00</td>
<td>$0.00</td>
<td>$0.00</td>
<td>$0.00</td>
<td>$0.00</td>
<td>$0.00</td>
<td>$0.00</td>
<td>$0.00</td>
<td>$0.00</td>
</tr>
<tr>
<td>O-8</td>
<td>7,180.20</td>
<td>7,415.60</td>
<td>7,751.10</td>
<td>7,809.30</td>
<td>8,135.10</td>
<td>8,210.70</td>
<td>8,519.70</td>
<td>8,608.50</td>
<td>8,874.30</td>
<td>9,259.50</td>
<td>9,614.70</td>
<td>9,852.00</td>
<td>9,852.00</td>
<td>9,852.00</td>
<td>9,852.00</td>
</tr>
<tr>
<td>O-7</td>
<td>5,966.40</td>
<td>6,371.70</td>
<td>6,618.90</td>
<td>6,657.90</td>
<td>6,840.30</td>
<td>7,051.20</td>
<td>7,261.80</td>
<td>7,427.20</td>
<td>8,135.10</td>
<td>8,949.00</td>
<td>8,949.00</td>
<td>8,949.00</td>
<td>8,949.00</td>
<td>8,949.00</td>
<td>8,949.00</td>
</tr>
<tr>
<td>O-6</td>
<td>4,422.90</td>
<td>4,857.90</td>
<td>5,176.80</td>
<td>5,168.60</td>
<td>5,419.80</td>
<td>5,448.60</td>
<td>5,628.60</td>
<td>6,035.70</td>
<td>6,627.00</td>
<td>6,949.30</td>
<td>7,316.00</td>
<td>7,675.20</td>
<td>7,675.20</td>
<td>7,675.20</td>
<td>7,675.20</td>
</tr>
<tr>
<td>O-5</td>
<td>3,537.00</td>
<td>3,932.60</td>
<td>4,494.30</td>
<td>4,673.10</td>
<td>5,073.30</td>
<td>5,413.50</td>
<td>5,755.80</td>
<td>6,199.00</td>
<td>6,628.60</td>
<td>6,949.30</td>
<td>7,261.80</td>
<td>7,316.00</td>
<td>7,316.00</td>
<td>7,316.00</td>
<td>7,316.00</td>
</tr>
<tr>
<td>O-4</td>
<td>2,796.60</td>
<td>3,170.90</td>
<td>3,598.70</td>
<td>3,757.00</td>
<td>4,070.10</td>
<td>4,232.40</td>
<td>4,471.90</td>
<td>4,739.50</td>
<td>4,949.30</td>
<td>5,199.00</td>
<td>5,413.50</td>
<td>5,628.60</td>
<td>5,628.60</td>
<td>5,628.60</td>
<td>5,628.60</td>
</tr>
<tr>
<td>O-3E</td>
<td>2,161.20</td>
<td>2,571.90</td>
<td>3,069.50</td>
<td>3,276.30</td>
<td>3,441.40</td>
<td>3,534.40</td>
<td>3,627.30</td>
<td>3,744.10</td>
<td>3,744.10</td>
<td>3,744.10</td>
<td>3,744.10</td>
<td>3,744.10</td>
<td>3,744.10</td>
<td>3,744.10</td>
<td>3,744.10</td>
</tr>
<tr>
<td>O-1E</td>
<td>2,097.60</td>
<td>2,413.10</td>
<td>2,638.50</td>
<td>2,638.50</td>
<td>2,638.50</td>
<td>2,638.50</td>
<td>2,638.50</td>
<td>2,638.50</td>
<td>2,638.50</td>
<td>2,638.50</td>
<td>2,638.50</td>
<td>2,638.50</td>
<td>2,638.50</td>
<td>2,638.50</td>
<td>2,638.50</td>
</tr>
</tbody>
</table>

1 Notwithstanding the basic pay rates specified in this table, the actual rate of basic pay for commissioned officers in pay grades O-7 through O-10 may not exceed the rate of pay for level III of the Executive Schedule and the actual rate of basic pay for all other officers may not exceed the rate of pay for level V of the Executive Schedule.

2 Subject to the preceding footnote, while serving as Chairman or Vice Chairman of the Joint Chiefs of Staff, Chief of Staff of the Army, Chief of Naval Operations, Chief of Staff of the Air Force, Commandant of the Marine Corps, or Commandant of the Coast Guard, the rate of basic pay for this grade is $13,598.10, regardless of cumulative years of service computed under section 205 of title 37, United States Code.

3 This table does not apply to commissioned officers in pay grade O-1, O-2, or O-3 who have been credited with over 4 years of active duty service as an enlisted member or warrant officer.

### WARRANT OFFICERS

#### YEARS OF SERVICE COMPUTED UNDER SECTION 205 OF TITLE 37, UNITED STATES CODE

<table>
<thead>
<tr>
<th>Pay Grade</th>
<th>2 or less</th>
<th>Over 2</th>
<th>Over 3</th>
<th>Over 4</th>
<th>Over 6</th>
<th>Over 8</th>
<th>Over 10</th>
<th>Over 12</th>
<th>Over 14</th>
<th>Over 16</th>
<th>Over 18</th>
<th>Over 20</th>
<th>Over 22</th>
<th>Over 24</th>
<th>Over 26</th>
</tr>
</thead>
<tbody>
<tr>
<td>W-5</td>
<td>$0.00</td>
<td>$0.00</td>
<td>$0.00</td>
<td>$0.00</td>
<td>$0.00</td>
<td>$0.00</td>
<td>$0.00</td>
<td>$0.00</td>
<td>$0.00</td>
<td>$0.00</td>
<td>$0.00</td>
<td>$0.00</td>
<td>$0.00</td>
<td>$0.00</td>
<td>$0.00</td>
</tr>
<tr>
<td>W-4</td>
<td>2,889.60</td>
<td>3,108.60</td>
<td>3,198.00</td>
<td>3,285.00</td>
<td>3,417.10</td>
<td>3,586.50</td>
<td>3,737.70</td>
<td>3,885.00</td>
<td>4,038.00</td>
<td>4,184.00</td>
<td>4,334.40</td>
<td>4,480.00</td>
<td>4,632.00</td>
<td>4,782.00</td>
<td>4,935.00</td>
</tr>
<tr>
<td>W-3</td>
<td>2,634.80</td>
<td>2,862.00</td>
<td>2,962.00</td>
<td>3,048.00</td>
<td>3,174.00</td>
<td>3,340.00</td>
<td>3,503.00</td>
<td>3,669.30</td>
<td>3,824.00</td>
<td>3,982.00</td>
<td>4,140.00</td>
<td>4,300.00</td>
<td>4,460.00</td>
<td>4,620.00</td>
<td>4,780.00</td>
</tr>
<tr>
<td>W-2</td>
<td>2,321.40</td>
<td>2,454.00</td>
<td>2,569.00</td>
<td>2,654.00</td>
<td>2,726.40</td>
<td>2,875.20</td>
<td>2,984.00</td>
<td>3,093.90</td>
<td>3,290.40</td>
<td>3,388.60</td>
<td>3,486.90</td>
<td>3,585.10</td>
<td>3,680.00</td>
<td>3,780.30</td>
<td>3,881.00</td>
</tr>
<tr>
<td>W-1</td>
<td>2,049.90</td>
<td>2,217.60</td>
<td>2,330.00</td>
<td>2,402.70</td>
<td>2,511.90</td>
<td>2,624.70</td>
<td>2,737.80</td>
<td>2,850.00</td>
<td>2,963.00</td>
<td>3,077.10</td>
<td>3,189.90</td>
<td>3,275.10</td>
<td>3,275.10</td>
<td>3,275.10</td>
<td>3,275.10</td>
</tr>
</tbody>
</table>

1 Notwithstanding the basic pay rates specified in this table, the actual rate of basic pay for warrant officers may not exceed the rate of pay for level V of the Executive Schedule.
### Enlisted Members "1"

#### Pay Grade

<table>
<thead>
<tr>
<th>Pay Grade</th>
<th>2 or less</th>
<th>Over 2</th>
<th>Over 3</th>
<th>Over 4</th>
<th>Over 6</th>
<th>Over 8</th>
<th>Over 10</th>
<th>Over 12</th>
<th>Over 14</th>
<th>Over 16</th>
<th>Over 18</th>
<th>Over 20</th>
<th>Over 22</th>
<th>Over 24</th>
<th>Over 26</th>
</tr>
</thead>
<tbody>
<tr>
<td>E-9 2</td>
<td>$0.00</td>
<td>$0.00</td>
<td>$0.00</td>
<td>$0.00</td>
<td>$0.00</td>
<td>$3,423.90</td>
<td>$3,599.40</td>
<td>$3,714.60</td>
<td>$3,830.40</td>
<td>$3,944.10</td>
<td>$4,098.30</td>
<td>$4,251.30</td>
<td>$4,467.00</td>
<td></td>
<td></td>
</tr>
<tr>
<td>E-8 3</td>
<td>0.00</td>
<td>0.00</td>
<td>0.00</td>
<td>0.00</td>
<td>0.00</td>
<td>2,858.10</td>
<td>3,017.70</td>
<td>3,110.10</td>
<td>3,210.30</td>
<td>3,314.70</td>
<td>3,420.30</td>
<td>3,573.00</td>
<td>3,724.80</td>
<td>3,937.80</td>
<td></td>
</tr>
<tr>
<td>E-7</td>
<td>1,986.90</td>
<td>2,169.00</td>
<td>2,332.50</td>
<td>2,417.40</td>
<td>2,562.90</td>
<td>2,635.40</td>
<td>2,645.10</td>
<td>2,762.60</td>
<td>2,892.60</td>
<td>2,975.10</td>
<td>3,057.30</td>
<td>3,206.40</td>
<td>3,292.80</td>
<td>3,526.80</td>
<td></td>
</tr>
<tr>
<td>E-6</td>
<td>1,701.00</td>
<td>1,870.80</td>
<td>1,953.60</td>
<td>2,033.70</td>
<td>2,117.40</td>
<td>2,254.50</td>
<td>2,337.30</td>
<td>2,417.40</td>
<td>2,499.30</td>
<td>2,558.10</td>
<td>2,602.80</td>
<td>2,602.80</td>
<td>2,602.80</td>
<td>2,602.80</td>
<td></td>
</tr>
<tr>
<td>E-5</td>
<td>1,561.50</td>
<td>1,665.20</td>
<td>1,745.70</td>
<td>1,826.50</td>
<td>1,912.80</td>
<td>2,030.10</td>
<td>2,110.20</td>
<td>2,193.30</td>
<td>2,193.30</td>
<td>2,193.30</td>
<td>2,193.30</td>
<td>2,193.30</td>
<td>2,193.30</td>
<td>2,193.30</td>
<td></td>
</tr>
<tr>
<td>E-4</td>
<td>1,443.60</td>
<td>1,517.70</td>
<td>1,599.60</td>
<td>1,680.30</td>
<td>1,752.30</td>
<td>1,752.30</td>
<td>1,752.30</td>
<td>1,752.30</td>
<td>1,752.30</td>
<td>1,752.30</td>
<td>1,752.30</td>
<td>1,752.30</td>
<td>1,752.30</td>
<td>1,752.30</td>
<td></td>
</tr>
<tr>
<td>E-3</td>
<td>1,293.50</td>
<td>1,365.40</td>
<td>1,468.50</td>
<td>1,468.50</td>
<td>1,468.50</td>
<td>1,468.50</td>
<td>1,468.50</td>
<td>1,468.50</td>
<td>1,468.50</td>
<td>1,468.50</td>
<td>1,468.50</td>
<td>1,468.50</td>
<td>1,468.50</td>
<td>1,468.50</td>
<td></td>
</tr>
<tr>
<td>E-2</td>
<td>1,105.50</td>
<td>1,105.50</td>
<td>1,105.50</td>
<td>1,105.50</td>
<td>1,105.50</td>
<td>1,105.50</td>
<td>1,105.50</td>
<td>1,105.50</td>
<td>1,105.50</td>
<td>1,105.50</td>
<td>1,105.50</td>
<td>1,105.50</td>
<td>1,105.50</td>
<td>1,105.50</td>
<td></td>
</tr>
</tbody>
</table>

1 Notwithstanding the basic pay rates specified in this table, the actual rate of basic pay for enlisted members may not exceed the rate of pay for level V of the Executive Schedule.

2 Subject to the preceding footnote, while serving as Sergeant Major of the Army, Master Chief Petty Officer of the Navy, Chief Master Sergeant of the Air Force, Sergeant Major of the Marine Corps, or Master Chief Petty Officer of the Coast Guard, basic pay for this grade is $5,382.90, regardless of cumulative years of service computed under section 205 of title 37, United States Code.

3 In the case of members in pay grade E-1 who have served less than 4 months on active duty, the rate of basic pay is $1,032.70.
SEC. 602. BASIC PAY RATE FOR CERTAIN RESERVE COMMISSIONED OFFICERS WITH PRIOR SERVICE AS AN ENLISTED WARRIOR OFFICER.

(a) SERVICE CREDITS.—Section 203(d) of title 37, United States Code, is amended—

(1) by inserting “(1)” after “(d)”;

(2) by striking “as a warrant officer or as a warrant officer and an enlisted member” and inserting “service described in paragraph (1)”;

(3) by adding at the end the following new paragraph:

“(2) Service to be taken into account for purposes of computing basic pay under paragraph (1) is as follows—

“(A) Active service as a warrant officer or as a warrant officer and an enlisted member, in the case of—

“(i) a commissioned officer on active duty who is paid from funds appropriated for active-duty personnel; or

“(ii) a commissioned officer on active Guard and Reserve duty.

“(B) In the case of a commissioned officer (not referred to in subparagraph (A)(ii)) who is paid from funds appropriated for reserve personnel, service as a warrant officer, or as a warrant officer and enlisted member, for which at least 1,460 points have been credited to the officer for the purposes of section 1272(c) of title 10.

(b) APPLICATION OF AMENDMENTS.—The amendments made by subsection (a) shall apply with respect to months beginning on or after the date of the enactment of this Act.

SEC. 603. RESERVE COMPONENT COMPENSATION FOR DISTRIBUTED LEARNING ACTIVITIES PERFORMED AS INACTIVE-DUTY TRAINING.

(a) COMPENSATION AUTHORIZED.—Section 206(d) of title 37, United States Code, is amended—

(1) by striking “This section” and inserting “(1) Except as provided in paragraph (2), this section”;

(2) by striking “an armed force” and inserting “a uniformed service”;

(3) by adding at the end the following new paragraph:

“(2) A member of the Selected Reserve of the Ready Reserve may be paid compensation under this section at a rate and under terms determined by the Secretary of Defense, but not to exceed a rate otherwise applicable to the member under subsection (a), upon the member’s successful completion of a course of instruction undertaken by the member using electronic-based methods of instruction or other methods used to accomplish training requirements related to unit readiness or mobilization, as directed for the member by the Secretary concerned. The compensation may be paid regardless of whether the course of instruction was under the direct control of the Secretary concerned or included the presence of an instructor.

(b) DEFINITION OF INACTIVE-DUTY TRAINING.—Section 101(22) of such title is amended by inserting after “but” the following: “(except as provided in section 206(d)(2) of this title)”.

SEC. 604. SUBSTITUTION OF ALLOWANCE.

(a) BASELINE AMOUNT FOR CALCULATING ALLOWANCE FOR ENLISTED MEMBERS.—Section 402(b) of title 37, United States Code, is amended by adding at the end the following new paragraph:

“(4) For purposes of implementing paragraph (2), the monthly rate of basic allowance for subsistence for an enlisted member for calendar year 2001 is deemed to be $233.”

(b) RATE FOR ENLISTED MEMBERS WHEN MESSING FACILITIES NOT AVAILABLE.—(1) Notwithstanding section 402 of title 37, United States Code, the Secretary of Defense, and the Secretary of Transportation with respect to the Coast Guard, may prescribe a rate of basic allowance for subsistence for an enlisted member in the Navy, may prescribe a rate of basic allowance for subsistence when messing facilities of the United States are not available. The rate may be higher than the rate of basic allowance for subsistence that would otherwise be applicable to the member under that section, but may not be higher than the highest rate that was in effect for enlisted members of the uniformed services under those circumstances before the date of the enactment of this Act.

(2) Paragraph (1) shall cease to be effective on the first day of the first month for which the basic allowance for subsistence calculated for an enlisted member for any uniformed service under section 402 of title 37, United States Code, exceeds the rate of the basic allowance for subsistence prescribed under paragraph (1).

(3) by adding at the end the following new paragraph:

“(4) Notwithstanding the repeal of subsections (c) through (f) of section 602 of the National Defense Authorization Act for Fiscal Year 1998 (Public Law 105-85; 37 U.S.C. 402 note) by section 633(c) of the Floyd D. Spence National Defense Authorization Act for Fiscal Year 2001 (as enacted into law by Public Law 106-398; 114 Stat. 1654-145), the basic allowance for subsistence shall be paid in accordance with such subsections for October, November, and December 2001.

SEC. 605. ELIGIBILITY FOR TEMPORARY HOUSING ALLOWANCE WHILE IN TRAVEL OR LEAVE AT A NON-GERMAN PERMANENT DUTY STATION.

(a) REPEAL OF PAY GRADE LIMITATION.—Section 405(i) of title 37, United States Code, is amended by striking “$200” and inserting “$400”.

(b) EFFECTIVE DATE.—The amendment made by this section shall take effect as of October 1, 2000.

SEC. 606. UNIFORM ALLOWANCE FOR OFFICERS.

(a) RELATION TO INITIAL UNIFORM ALLOWANCE.—Section 416(b)(1) of title 37, United States Code, is amended by striking “$200” and inserting “$400”.

(b) EFFECTIVE DATE.—The amendment made by this section shall take effect as of October 1, 2000.

SEC. 607. FAMILY SEPARATION ALLOWANCE FOR MEMBERS ELECTING UNACCOMPANIED TOUR BY REASON OF HEALTH LIMITATIONS OF DEPENDENTS.

(a) ENTITLEMENT TO ALLOWANCE.—Section 427(c) of title 37, United States Code, is amended—

(1) by striking “a member” in the first sentence and inserting “(1) Except as provided in paragraph (2) or (3), a member”;

(2) in section 427(d)(2), by striking “The Secretary concerned may waive the preceding sentence” and inserting the following:

“(2) The Secretary concerned may waive paragraph (1); and

(3) by inserting after the first sentence the following new paragraph:

“(2) The prohibition in the first sentence of paragraph (1) does not apply to a member who elects to serve an unaccompanied tour of duty because a dependent cannot accompany the member at that permanent station for certified medical reasons.”

(b) APPLICATION OF AMENDMENT.—Paragraph (2) of section 427(c) of title 37, United States Code, is amended by adding at the end the following new paragraph:

“(2) The prohibition in the first sentence of paragraph (1) does not apply to a member who elects to serve an unaccompanied tour of duty because a dependent cannot accompany the member at that permanent station for certified medical reasons.”

SEC. 608. ONE-YEAR EXTENSION OF CERTAIN BONUSES AND SPECIAL PAY AUTHORIZED FOR NUCLEAR CAREER ANNUAL INCENTIVE PAYS FOR RESERVE FORCES.

(a) NURSE OFFICER CANDIDATE ACCESSION BONUS.—Section 308(g) of title 37, United States Code, is amended by striking “December 31, 2001” and inserting “December 31, 2002”.

(b) ACCESSION BONUS FOR REGISTERED NURSES.—Section 302d(a)(1) of title 37, United States Code, is amended by striking “December 31, 2001” and inserting “December 31, 2002”.

(c) INCENTIVE SPECIAL PAY FOR NURSE ANESTHETISTS.—Section 302e(a)(1) of title 37, United States Code, is amended by striking “December 31, 2001” and inserting “December 31, 2002”.

(d) REPEAL OF PAY GRADE LIMITATION.—Section 308c(e) of title 37, United States Code, is amended by striking “December 31, 2001” and inserting “December 31, 2002”.

SEC. 609. ONE-YEAR EXTENSION OF OTHER BONUSES AND SPECIAL PAY AUTHORITIES.

(a) SPECIAL PAY FOR NUCLEAR-QUALIFIED OFFICERS EXTENDING PERIOD OF ACTIVE SERVICE.—Section 312(e) of title 37, United States Code, is amended by striking “December 31, 2001” and inserting “December 31, 2002”.

(b) NUCLEAR CAREER ANNUAL INCENTIVE BONUS.—Section 312(e) of title 37, United States Code, is amended by striking “December 31, 2001” and inserting “December 31, 2002”.

(c) NUCLEAR CAREER ANNUAL INCENTIVE BONUS.—Section 312(e) of such title is amended by striking “December 31, 2001” and inserting “December 31, 2002”.

SEC. 610. ONE-YEAR EXTENSION OF CERTAIN BONUSES AND SPECIAL PAY AUTHORIZED FOR NUCLEAR-QUALIFIED OFFICERS.

(a) AVIATION OFFICER RETENTION BONUS.—Section 3019(a) of title 37, United States Code, is amended by striking “December 31, 2001” and inserting “December 31, 2002”.

(b) REENLISTMENT BONUS FOR ACTIVE MEMBERS.—Section 308(g) of such title is amended by striking “December 31, 2001” and inserting “December 31, 2002”.

(c) ENLISTMENT BONUS FOR ACTIVE MEMBERS.—Section 309(e) of such title is amended by
striking “December 31, 2001” and inserting “December 31, 2002”.

(a) RETENTION BONUS FOR MEMBERS WITH CRITICAL MILITARY SKILLS.—Section 323(a) of such title, United States Code, is amended—
(1) in paragraph (10), by striking “or” at the end;
(2) by redesignating paragraph (11) as paragraph (12); and
(3) by inserting after paragraph (10) the following new paragraph:
“(11) involving regular participation as a member of a team conducting visit, board, search, and seizure operations aboard vessels in support of maritime interdiction operations; or,”;
(b) MONTHLY AMOUNT.—Section (c) of such section is amended—
(1) in paragraph (1), by striking “(10)” and inserting “(11)”; and
(2) in paragraph (2)(A), by striking “(11)” and inserting “(12)”; and
(c) APPLICATION OF AMENDMENT.—Section (11) of such title, United States Code, as added by subsection (a)(3), shall apply to duty described in subparagraph (a)(11) that is performed on or after January 1, 2002.

SEC. 615. HAZARDOUS DUTY PAY FOR MEMBERS OF MARITIME VISIT, BOARD, SEARCH, AND SEIZURE TEAMS.

(a) ADDITIONAL TYPE OF DUTY ELIGIBLE FOR PAY.—Section 301(a) of title 37, United States Code, is amended—
(1) in paragraph (10), by striking “or” at the end;
(2) by redesignating paragraph (11) as paragraph (12); and
(3) by inserting after paragraph (10) the following new paragraph:
“(11) involving regular participation as a member of a team conducting visit, board, search, and seizure operations aboard vessels in support of maritime interdiction operations; or”;
(b) MONTHLY AMOUNT.—Section (c) of such section is amended—
(1) in paragraph (1), by striking “(10)” and inserting “(11)”;
(2) in paragraph (2)(A), by striking “(11)” and inserting “(12)”; and
(c) APPLICATION OF AMENDMENT.—Paragraph (11) of section 301(a) of title 37, United States Code, as added by subsection (a)(3), shall apply to duty described in subparagraph (a)(11) that is performed on or after January 1, 2002.

SEC. 616. ELIGIBILITY FOR CERTAIN CAREER CONTINUATION BONUSES FOR EARNED ENLISTMENT TO REMAIN ON ACTIVE DUTY.

(a) AVIATION OFFICERS.—Section 303(b)(4) of title 37, United States Code, is amended by inserting before the period at the end the following: “or is within one year of completing such commitment”;
(b) SURFACE WARFARE OFFICERS.—Section 319(a)(3) of such title is amended by inserting before the period at the end the following: “or is within one year of completing such commitment”;
(c) DESIGNATION OF CRITICAL OFFICER SKILLS.—Section (a) of section 301(a) of title 37, United States Code, is amended by inserting before the period at the end the following: “or is within one year of completing such commitment”;
(d) RENAL RESERVE BONUS FOR REENLISTMENT REQUIREMENTS FOR INDIVIDUAL.—Section 302h(a)(1) of title 37, United States Code, is amended by striking “December 31, 2001” and inserting “December 31, 2002”.

SEC. 617. SECRETARY DISCRETION IN PRESCRIBING SUBMARINE DUTY INCENTIVE PAY RATES.

(a) AUTHORITY OF SECRETARY OF THE NAVY; MAXIMUM RATE.—Subsection (b) of section 301c of title 37, United States Code, is amended to read as follows:
“(b) INCENTIVE PAY RATES.—The Secretary of the Navy shall prescribe the monthly rates of submarine duty incentive pay, except that the maximum monthly rate may not exceed $1,000.”;
(b) SURFACE WARFARE AMENDMENTS.—Such section is further amended—
(1) in subsection (a), by striking “ELIGIBILITY REQUIREMENTS.— after ‘(a)’; and
(2) in subsection (b), by striking “the Secretary of the Navy” and inserting “the Secretary”, and
(3) in subsection—
(A) in inserting “APPLICATION OF CERTAIN NAVAL RESERVE DUTY.— after ‘(a)’; and
(B) by striking “prescribed pursuant to”;
(2) in subsection (c), by inserting “EXCEPTIONS.— after ‘(c)’; and
(3) in subsection—
(A) in inserting “APPLICABILITY TO CERTAIN NAVAL RESERVE DUTY.— after ‘(d)’; and
(B) by striking “prescribed” and inserting “prescribed pursuant to”;
(c) TRANSITION.—The tables set forth in subsection (b) of section 301c of title 37, United States Code, as amended by subsection (a) of this section, and subsection (b) of such section as in effect on the date of the enactment of this Act, shall continue to apply until the later of the following:
(1) January 1, 2002.
(2) The date on which the Secretary of the Navy prescribes new submarine duty incentive pay rates as authorized by the amendment made by subsection (a) of this section.

SEC. 618. CONFORMING ACCESSION BONUS FOR DENTAL OFFICERS AUTHORITY WITH AUTHORIES FOR OTHER SPECIAL BONUS PAYMENTS.

Section 302h(a)(1) of title 37, United States Code, is amended by striking “the date of the enactment of this section, and ending on September 30, 2002” and inserting “September 23, 1996, and ending on December 31, 2002”.

SEC. 619. MODIFICATION OF ELIGIBILITY REQUIREMENTS, IMPROVEMENTS TO THE READY RESERVE BONUS FOR REENLISTMENT, ENLISTMENT, OR EXTENSION.

(a) ELIGIBILITY BASED ON QUALIFICATIONS IN CRITICALLY SHORT WARTIME SKILLS OR SPECIALTIES.—Subsection (a) of section 306h of title 37, United States Code, is amended to read as follows:
“(a) AUTHORITY AND ELIGIBILITY REQUIREMENTS.—The Secretary concerned may pay a bonus as provided in subsection (b) to an eligible person who reenlists, enlists, or voluntarily extends an enlistment in a reserve component of an armed force in response to an element (other than the Selected Reserve) of the Ready Reserve of that armed force if the reenlistment, enlistment, or extension is for a period of three years, or for a period of six years, beyond any other period the person is obligated to serve.
“(2) A person is eligible for a bonus under this section if the person—
(A) is or has been a member of an armed force;
(B) is qualified in a skill or specialty designated by the Secretary concerned as a critically short wartime skill or critically short wartime specialty; and
(C) has not failed to complete satisfactorily any original term of enlistment in the armed forces.
“(3) For the purposes of this section, the Secretary concerned may designate a skill or specialty as critically short wartime skill or critically short wartime specialty for the purposes of this section. A skill may be designated as a critically short wartime skill or critically short wartime specialty to meet wartime requirements of the armed force; and
“(4) There is a critical shortage of personnel in that armed force who are qualified in that skill or specialty.
(b) CEREMONIAL AND SPECIAL BONUSES.—Section (b) of such section is further amended—
(1) after “(4)”, by inserting “FUND BONUSES.— after ‘(4)’;
(2) in subsection (c), by inserting “REPAYMENT OF BONUSES.— after ‘(c)’;
(c) REGULATIONS.—Not later than 180 days after the date of the enactment of this Act, the Secretaries of the military departments shall prescribe such regulations as may be necessary for administering subsection (a) of section 306h of title 37, United States Code, as amended by this section.

SEC. 620. INSTALLMENT PAYMENT AUTHORITY.

(a) BONUS AUTHORIZED.—Chapter 5 of title 37, United States Code, is amended by adding at the end the following new section:

“§324. Special pay: accession bonus for new officers in critical skills.

(a) ACCESSION BONUS AUTHORIZED.—Under regulations prescribed by the Secretary concerned, a person who executes a written agreement to accept a commission as an officer of the armed forces and serve on active duty in a designated critical officer skill for the period specified in the agreement may, upon acceptance of the agreement by the Secretary concerned, be paid an accession bonus in the amount determined by the Secretary concerned.
(b) DESIGNATION OF CRITICAL OFFICER SKILLS.—(1) The Secretary concerned shall designate the critical officer skills for the purposes of this section. A skill may be designated as a critical officer skill for an armed force under this subsection if—
(1) in order to meet requirements of the armed force, it is critical to have a sufficient number of officers who are qualified in that skill; and
(2) in order to mitigate a current or projected significant shortage of personnel in the armed force who are qualified in that skill, it is critical to access into that armed force in sufficient numbers persons who are qualified in that skill and who are trained in that skill.
(2) LIMITATION ON AMOUNT OF BONUS.—The amount of an accession bonus under subsection (a) may not exceed $60,000.
(c) PAYMENT METHOD.—Upon acceptance of a written agreement under subsection (a) by the Secretary concerned, the total amount of the accession bonus payable under the agreement before termination of the agreement by the Secretary concerned shall be paid by the Secretary in lump sum or installments.
(d) RELATION TO OTHER ACCESSION BONUS AUTHORITY.—An individual may not receive an accession bonus under this section and section 302d, 302h, 302j, or 312b of this title for the same period of service.”
the accession bonus under an agreement referred to in subsection (a), fails to accept a commission as an officer or to commence or complete the total period of active duty service specified in that agreement, the amount paid to the individual United States the amount that bears the same ratio to the total amount of the bonus authorized for such person as the net average years of active duty bears to the total period of the agreed active duty service. However, the amount required to be repaid by the individual may not exceed the amount of the accession bonus that was paid to the individual.

“(2) Subject to paragraph (3), an obligation to repay the United States imposed under paragraph (1) is for all purposes a debt owed to the United States, and a judgment in bankruptcy under title 11 that is entered less than five years after the termination of an agreement entered into under subsection (a) does not discharge the individual signing the agreement from a debt arising under such agreement or under paragraph (1).

“(3) The Secretary concerned may waive, in whole or in part, the repayment requirement under paragraph (1) on a case-by-case basis if the Secretary concerned determines that repayment of the entire amount owed would be against equity and good conscience or would be contrary to the best interests of the United States.

(g) TERMINATION OF AUTHORITY.—No agreement under this section may be entered into after December 31, 2002.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter is amended by adding at the end of the following new item: “324. Special pay: accession bonus for new officers in critical skills.”

SEC. 622. EDUCATION SAVINGS PLAN TO ENCOURAGE REENLISTMENTS AND EXTENSION OF SERVICE IN CRITICAL SPECIALTIES.

(a) ESTABLISHMENT OF SAVINGS PLAN.—(4) Chapter 5 of title 37, United States Code, is amended by inserting after section 324, as added by section 621, the following new section:

“§325. Incentive bonus: savings plan for education expenses and other contingencies.

“(a) BENEFIT AND ELIGIBILITY.—The Secretary concerned may purchase United States savings bonds under this section for a member of the armed forces who is eligible as follows:

“(1) A member who, before completing three years of service on active duty, enters into a commitment to perform qualifying service.

“(2) A member who, after completing three years of service on active duty, but not more than nine years of service on active duty, enters into a commitment to perform qualifying service.

“(3) A member who, after completing more than nine years of service on active duty, enters into a commitment to perform qualifying service.

“(b) QUALIFYING SERVICE.—For the purposes of this section, qualifying service is service on active duty in a specialty designated by the Secretary concerned as critical to meet requirements (whether or not such specialty is designated as critical to meet wartime or peace-time requirements) for a period that—

“(1) is not less than six years; and

“(2) any part of a period for which the member is obligated to serve on active duty under an enlistment or other agreement for which a benefit has previously been paid under this section.

“(c) FORMS OF COMMITMENT TO ADDITIONAL SERVICE.—For the purposes of this section, a commitment—

“(1) in the case of an enlisted member, a reenlistment; and

“(2) in the case of a commissioned officer, an agreement entered into with the Secretary concerned.

“(d) AMOUNTS OF BONDS.—The total of the face amounts of the United States savings bonds authorized to be purchased for a member under this section for a commitment shall be as follows:

“(1) In the case of a purchase for a member under paragraph (1) of subsection (a), $5,000.

“(2) In the case of a purchase for a member under paragraph (2) of subsection (a), the amount equal to the amount added over the total of the face amounts of any United States savings bonds previously purchased for the member under this section.

“(3) In the case of a purchase for a member under paragraph (3) of subsection (a), the amount equal to the excess of $30,000 over the total of the face amounts of any United States savings bonds previously purchased for the member under this section.

“(e) TOTAL AMOUNT OF BENEFIT.—The total amount of the bonus authorized for a member under this section, and the amounts authorized to be purchased for the member under this section, shall be the sum of—

“(1) the purchase price of the United States savings bonds; and

“(2) the amounts that would be deducted and withheld for the payment of individual income taxes if the total amount computed under this subsection for that commitment was paid to the member as a bonus.

“(f) AMOUNT WITHHELD FOR TAXES.—The total amount payable for a member under subsection (e)(2) for a commitment by that member shall be withheld, credited, and otherwise treated in the same manner as amounts deducted and withheld from the basic pay of the member.

“(g) TERMINATION OF AUTHORITY.—The Secretary concerned determines that repayments would be against equity and good conscience or would be contrary to the best interests of the United States, the amount that bears the same ratio to the total amount authorized for such a member as the amount added under paragraph (1), (2), or (3) of subsection (a) is for all purposes a debt owed to the United States, and a judgment in bankruptcy under title 11 that is entered less than five years after the termination of an agreement entered into under subsection (a) does not discharge the individual signing the agreement from a debt arising under such agreement or under paragraph (1).

“(h) RELATIONSHIP TO OTHER SPECIAL PAYS.—(1) If a person fails to perform the qualifying service for which a benefit has been paid under this section, the person shall refund to the United States the amount added under paragraph (1) for that particular service period, without a reduction in the payment rate or any requirement otherwise applicable to that period.

“(2) A discharge in bankruptcy under title 11 that is entered less than five years after the termination of an enlistment or other agreement under which the person is obligated under a commitment for which a benefit has been paid under this section, the person shall refund to the United States the amount added under paragraph (1) for the total period of the qualifying service for which obligated.

“(3) The Secretary concerned may waive, in whole or in part, the repayment requirement under paragraph (1) if the Secretary concerned determines that recovery would be against equity and good conscience or would be contrary to the best interests of the United States.

“(4) A discharge in bankruptcy under title 11 that is entered less than five years after the termination of an enlistment or other agreement under which the person is obligated under a commitment for which a benefit has been paid under this section, the person shall refund to the United States the amount added under paragraph (1) for any portion of the same qualifying service.

“(i) REGULATIONS.—This section shall be administered under regulations prescribed by the Secretary of Defense for the armed forces under his jurisdiction and by the Secretary of Transportation for the Coast Guard when the Coast Guard is not operating as a service in the Navy.

“(j) SPECIAL PAY.—The benefit authorized under this section is in addition to any other bonus or incentive or special pay that is paid or payable to a member under any other law or title of this chapter for any portion of the same qualifying service.

“(k) QUALIFYING SERVICE.—In this section, the term ‘qualifying service’ means service for which a particular special pay or incentive pay is payable under the authority of a provision of chapter 5 of this title.”.

(2) The table of sections at the beginning of such chapter is amended by adding at the end of the following new item:

“325. Incentive bonus: savings plan for education expenses and other contingencies.”

SEC. 623. CONTINUATION OF PAYMENT OF SPECIAL AND INCENTIVE PAY AT UNREDUCED RATES DURING STOP LOSS PERIODS.

(a) AUTHORITY TO CONTINUE.—(1) Chapter 5 of title 37, United States Code, is amended by adding to the end of the following new item:

“§909. Special and incentive pay: payment at unreduced rates during suspension of personnel laws.

“(a) AUTHORITY TO CONTINUE PAYMENT AT UNREDUCED RATES.—To ensure fairness and recognize the contributions of members of the armed forces to military essential missions, the Secretary of the military department concerned may authorize members who are involuntarily retained or who are reenlisted on active duty after December 31, 2002, and who, immediately before retention on active duty, were entitled or eligible for special pay or incentive pay under chapter 5 of title 37, United States Code, as added by section 123 or 1295 of title 10 or any other provision of law and who, immediately before retention on active duty, were entitled or eligible for special pay or incentive pay under chapter 5 of title 37, United States Code, as added by section 123 or 1295 of title 10 or any other provision of law and who, immediately before retention on active duty, were entitled or eligible for special pay or incentive pay under chapter 5 of title 37, United States Code, as added by section 123 or 1295 of title 10 or any other provision of law and who, immediately before retention on active duty, were entitled or eligible for special pay or incentive pay under chapter 5 of title 37, United States Code, as added by section 123 or 1295 of title 10 or any other provision of law, to receive that special pay or incentive pay for qualifying service performed during the retention period, without a reduction in the payment rate or any requirement otherwise applicable to such pay or incentive pay that would reduce the payment rate by reason of the years of service of the members.

“(b) SUSPENSION DURING TIME OF WAR.—Subsection (a) does not apply with respect to a special pay or incentive pay under chapter 5 of title 37, United States Code, as added by subsection (a)(1), which is payable for a fiscal year period beginning after September 11, 2001.

“(c) QUALIFYING SERVICE.—In this section, the term ‘qualifying service’ means service for which a particular special pay or incentive pay is payable under the authority of a provision of chapter 5 of this title.”.

(2) The table of sections at the beginning of such chapter is amended by adding at the end the following new item:

“909. Special and incentive pay: payment at unreduced rates during suspension of personnel laws.”

(b) APPLICATION OF AMENDMENTS.—Section 909 of title 37, United States Code, as added by subsection (a)(1), shall apply with respect to pay periods beginning after September 11, 2001.

SEC. 624. RETROACTIVE AUTHORIZATION FOR IMMINENT DANGER PAY FOR SERVICE IN CONNECTION WITH OPERATION ENDURING FREEDOM.

(a) RETROACTIVE AUTHORIZATION.—The Secretary of Defense may provide for the payment of imminent danger pay under section 310 of title 37, United States Code, to members of the Armed Forces assigned to duty in the areas specified in subsection (b) in connection with the contingency operation known as Operation Enduring Freedom with respect to periods of duty served in those areas during the period beginning on September 19, 2001, and ending October 31, 2001.

(b) SPECIFIED AREAS.—The areas referred to in subsection (a) are the following:

(1) The land areas of Kyrgyzstan, Oman, the United Arab Emirates, and Uzbekistan.

(2) The Red Sea, the Gulf of Aden, the Gulf of Oman, and the Arabian Sea (that portion north of 10° north latitude and west of 68° east longitude).

December 12, 2001
CONGRESSIONAL RECORD—HOUSE
H9373
SEC. 631. MINIMUM PER DIEM RATE FOR TRAVEL AND TRANSPORTATION ALLOWANCE FOR TRAVEL PERFORMED UPON A CHANGE OF PERMANENT STATION AND CERTAIN OTHER TRAVEL.

Section 404(d) of title 37, United States Code, is amended by adding at the end the following new paragraph:

"(5) Effective January 1, 2003, the per diem rates established under paragraph (2)(A) for travel performed in connection with a change of permanent station or for travel described in paragraph (3) of subsection (a) shall be equal to the standard per diem rates established in the Federal travel regulation for travel within the continental United States of civilian employees and their dependents, unless the Secretaries concerned determine that a higher rate for members is more appropriate."

SEC. 632. ELIGIBILITY FOR PAYMENT OF SUBSISTENCE EXPENSES ASSOCIATED WITH OCCUPANCY OF TEMPORARY LODGING AND TRAVEL AND TRANSPORTATION ALLOWANCE REPORTING TO FIRST PERMANENT DUTY STATION.

(a) INCLUSION OF OFFICERS.—Subsection (a)(2)(C) of section 404a of title 37, United States Code, is amended by striking "an enlisted member" and inserting "a member".

(b) INCREASE IN MAXIMUM DAILY AUTHORIZED RATE.—Subsection (a)(2) is amended by striking "$110" and inserting "$180".

(c) EFFECTIVE DATE; APPLICATION.—The amendments made by this section shall take effect on January 1, 2002, and apply with respect to an order issued on or after that date to a member of the uniformed services to report to the member's first permanent duty station.

SEC. 633. REIMBURSEMENT OF MEMBERS FOR MANDATORY PET QUARANTINE FEES

(a) INCREASE IN MAXIMUM REIMBURSEMENT AMOUNT.—Section 406a(1) of title 37, United States Code, is amended by striking "$275" and inserting "$550".

(b) APPLICATION OF AMENDMENT.—The amendment made by subsection (a) shall apply with respect to the reimbursement of members of the uniformed services for mandated pet quarantine fees incurred in connection with the mandatory quarantine of a household pet under way on the date of the enactment of this Act or beginning on or after such date.

SEC. 634. INCREASED WEIGHT ALLOWANCE FOR TRANSPORTATION OF BAGGAGE AND HOUSEHOLD EFFECTS FOR JUNIOR ENLISTED MEMBERS.

(a) INCREASED WEIGHT ALLOWANCES.—The table in section 406(b)(2)(C) of title 37, United States Code, is amended—

(1) by striking the two footnotes; and

(2) by striking the items relating to pay grade E-1 through E-4 and inserting the following new items:

<table>
<thead>
<tr>
<th>Pay Grade</th>
<th>Weight Allowance</th>
</tr>
</thead>
<tbody>
<tr>
<td>E-4</td>
<td>7,000</td>
</tr>
<tr>
<td>E-3</td>
<td>8,000</td>
</tr>
<tr>
<td>E-2</td>
<td>5,000</td>
</tr>
<tr>
<td>E-1</td>
<td>5,000</td>
</tr>
</tbody>
</table>

(4) If a deceased member is interred in a cemetery maintained by the American Battle Monuments Commission, the travel and transportation allowances authorized under subsection (a) may be provided to and from such cemetery and may not exceed the rates for two days and the time necessary for such travel.

(c) ELIGIBLE RELATIVES.—(1) The following members of the family of a deceased member of the uniformed services are eligible for the travel and transportation allowances authorized under subsection (a): (A) The surviving spouse (including a remarried surviving spouse) of the deceased member.

(B) The unmarried child or children of the deceased member referred to in section 401(a)(2) of title 37, United States Code.

(C) If no person described in subparagraph (A) or (B) is available, travel and transportation allowances under subsection (a)(1), the parent or parents of the deceased member (as defined in section 401(b)(2) of this title).

(2) If no person described in paragraph (1) is available, travel and transportation allowances under subsection (a)(1), the travel and transportation allowances may be provided to—

(A) the person who directs the disposition of the remains of the deceased member under section 1482(c) of title 10, and

(B) the personal representative of the estate of the deceased member whose remains are commingled.
and buried in a common grave in a national cemetery, the person who would have been designated under such section to direct the disposition of the remains if individual identification had been made.

“(B) up to two additional persons closely related to the deceased member who are selected by the person referred to in subparagraph (A).

“(d) EXHIBITED ALLOWANCES RELATED TO RECOVERY OF REMAINS FROM VIETNAM CONFLICT.—(1) The Secretary of Defense may provide round trip travel and transportation allowances for the family of a deceased member of the armed forces who died while classified as a prisoner of war or as missing in action during the Vietnam conflict and whose remains are returned to the United States in order that family members may attend the burial ceremony of the deceased member.

“(2) The allowance under paragraph (1) shall include round trip transportation from the places of residence of such family members to the burial ceremony and such living expenses and other allowances as the Secretary of Defense considers appropriate.

“(3) For purposes of paragraph (1), eligible family members of the deceased member of the armed forces include the following:

“(A) The surviving spouse (including a remarried surviving spouse) of the deceased member.

“(B) The child or children, including children described in section 401(b)(1) of this title, of the deceased member.

“(C) The parent or parents of the deceased member (as defined in section 401(b)(2) of this title).

“(D) If no person described in subparagraph (A), (B), or (C) is provided travel and transportation allowances under paragraph (1), any brother, sister, half-sister, half-brother, step-sister, and step-brother of the deceased member.

“(e) BURIAL CEREMONY DEFINED.—In this section, the term ‘burial ceremony’ includes the following:

“(1) An interment of casketed or cremated remains.

“(2) A placement of cremated remains in a columbarium.

“(3) A memorial service for which reimbursement is authorized under section 1482(d)(2) of title 10.

“(4) A burial of commingled remains that cannot be individually identified in a common grave in a national cemetery.

“(f) REGULATIONS.—The Secretaries concerned shall prescribe uniform regulations to carry out this section.

“(g) EFFECTIVE DATE.—(1) In subsection (a), by striking ‘‘—’’

“(h) Effectiveness Contingent on Enactment of Offsetting Legislation.—(1) The provisions of this section shall not be effective until the date that is six months after the date of the enactment of the legislation that is qualifying offsetting legislation for purposes of this section.

“Iowa 12, 2001
Congressional Record—House

H9375

SEC. 641. CONTINGENT AUTHORITY FOR CONCURRENT PAYMENT OF MILITARY RETIRED PAY AND VETERANS’ DISABILITY COMPENSATION AND ENHANCEMENT OF SPECIAL COMPENSATION AUTHORITY.

(a) Restoration of Retired Pay Benefits.—Chapter 71 of title 10, United States Code, is amended by adding at the end the following new section:

Section 1414. Members eligible for retired pay who have service-connected disabilities; payment of retired pay and veterans’ disability compensation; contingent authority

“(a) PAYMENT OF BOTH RETIRED PAY AND COMPENSATION.—Subject to subsection (b), a member or former member of the uniformed services who retired under chapter 61 of title 38, subject to the enactment of qualifying offsetting legislation as specified in subsection (f).
“1414. Members eligible for retired pay who have service-connected disabilities; payment of retired pay and veterans’ disability compensation; equivalent pay;

(d) PROHIBITION OF RETROACTIVE BENEFITS.—If the provisions of subsection (a) of section 1414 of title 10, United States Code, becomes effective in accordance with subsection (f) of that section, no benefit may be paid to any person by reason of those provisions for any period before the effective date specified in subsection (e) of that section.

(e) ENHANCEMENT OF SPECIAL COMPENSATION AUTHORITY.—(1) Subsection (b) of section 1413 of title 10, United States Code, is amended by striking subsections (1), (2), and (3) and inserting the following:

“(1) For payments for months beginning with February 2002 and ending with December 2002, the following:

“(A) For any month for which the retiree has a qualifying service-connected disability rated as 70 percent, $250.

“(B) For any month for which the retiree has a qualifying service-connected disability rated as 80 percent, $325.

“(C) For any month for which the retiree has a qualifying service-connected disability rated as 90 percent, $400.

“(2) For payments for months beginning with January 2003 and ending with September 2003, the following:

“(A) For any month for which the retiree has a qualifying service-connected disability rated as 70 percent, $225.

“(B) For any month for which the retiree has a qualifying service-connected disability rated as 80 percent, $290.

“(C) For any month for which the retiree has a qualifying service-connected disability rated as 90 percent, $365.

“(D) For any month for which the retiree has a qualifying service-connected disability rated as total, $440.

“(E) For any month for which the retiree has a qualifying service-connected disability rated as 70 percent, $200.

“(F) For any month for which the retiree has a qualifying service-connected disability rated as 80 percent, $275.

“(G) For any month for which the retiree has a qualifying service-connected disability rated as 90 percent, $350.

“(H) For any month for which the retiree has a qualifying service-connected disability rated as total, $425.

“(2) For any month for which the retiree has a qualifying service-connected disability rated as 70 percent, $200.

“(B) For any month for which the retiree has a qualifying service-connected disability rated as 80 percent, $250.

“(C) For any month for which the retiree has a qualifying service-connected disability rated as 90 percent, $325.

“(2) For any month for which the retiree has a qualifying service-connected disability rated as 80 percent, $175.

“(D) For any month for which the retiree has a qualifying service-connected disability rated as 90 percent, $225.

“(E) For any month for which the retiree has a qualifying service-connected disability rated as total, $300.

“(3) For payments for months after September 2004, the following:

“(A) For any month for which the retiree has a qualifying service-connected disability rated as 70 percent, $200.

“(B) For any month for which the retiree has a qualifying service-connected disability rated as 80 percent, $250.

“(C) For any month for which the retiree has a qualifying service-connected disability rated as 90 percent, $300.

“(D) For any month for which the retiree has a qualifying service-connected disability rated as total, $350.

“(3) The amendments made by this subsection shall take effect on January 1, 2002.

SEC. 642. SURVIVOR BENEFIT PLAN ANNUITIES FOR SURVIVING SPOUSES OF MEMBERS WHO DIE WHILE ON ACTIVE DUTY AND NOT ELIGIBLE FOR RETIREMENT.

(a) SURVIVING SPOUSE ANNUITY.—Paragraph (1) of section 1448(d) of title 10, United States Code, is amended by adding at the end the following new paragraph:

“(J) in subparagraph (A) who dies in line of duty while on active duty.

(b) COMPUTATION OF ANNUITY.—Section 1441(c)(1)(J) of such title is amended—

“(1) by striking ‘‘based upon his years of active service when he died.’’ and inserting ‘‘when he died determined as follows:’’

“(II) in the case of an annuity provided under section 1448(d)(1)(A) or 1448(d)(1)(B) or 1448(d)(1)(C) and inserting ‘‘clause (ii) or (iii) of section 1448(d)(1)(C)’’;

“(1) The payment for a surviving spouse annuity shall be computed as the member’s years of active service when he died.

“(2) For any month for which the retiree has a qualifying service-connected disability rated as the following:

“(A) For any month for which the retiree has a qualifying service-connected disability rated as 70 percent, $200.

“(B) For any month for which the retiree has a qualifying service-connected disability rated as 80 percent, $250.

“(C) For any month for which the retiree has a qualifying service-connected disability rated as 90 percent, $300.

“(3) For any month for which the retiree has a qualifying service-connected disability rated as total, $350.

“(c) CONFORMING AMENDMENTS.—(1) The head-
“(e) DESIGNATION OF TRANSFEREE.—An individual transferring an entitlement to basic educational assistance under this section shall—

(1) designate the dependent or dependents to whom the entitlement is being transferred;

(2) designate the number of months of such entitlement to be transferred to each such dependent, and

(3) specify the period for which the transfer shall be effective for each dependent designated under paragraph (1).

(f) MODIFICATION; REVOCATION AND MODIFICATION.—(1) Subject to the time limitation for use of entitlement under section 3031 of this title, an individual approved to transfer entitlement to basic educational assistance under this section may transfer such entitlement at any time after the approval of the individual’s request to transfer such entitlement without regard to the individual’s eligibility as a member of the Armed Forces when the transfer is executed.

(2) An individual transferring entitlement under this section may modify or revoke at any time the transfer of any unused portion of the entitlement so transferred.

(3) The modification or revocation of the transfer of entitlement under this paragraph shall be made by the local commander of the uniformed service of the individual from whom the entitlement was transferred and at the rate of the individual making the transfer at the rate of the individual to whom entitlement is transferred.

(4) The Secretary of Veteran Affairs shall be notified at any time to which an individual has agreed to modify or revoke the transfer of entitlement under this section.

(5) The Secretary of Veteran Affairs shall be notified at any time to which an individual has agreed to modify or revoke the transfer of entitlement under this section.

(6) The purposes for which a dependent to whom entitlement is transferred under this section may use such entitlement shall include the pursuit and completion of the requirements of a secondary school diploma or equivalency certificate; and

(7) The purpose for which an individual transferring an entitlement under this section shall not affect the use of the entitlement by the dependent to whom the entitlement is transferred.

(g) COMENCEMENT OF USE.—A dependent to whom an entitlement to basic educational assistance is transferred under this section may commence the use of the transferred entitlement at any time after the approval of the individual’s request to transfer such entitlement without regard to the individual’s eligibility as a member of the Armed Forces when the transfer is executed.

(h) MODIFICATION; REVOCATION AND MODIFICATION.—(1) Subject to the time limitation for use of entitlement under section 3031 of this title, an individual approved to transfer entitlement to basic educational assistance under this section may modify or revoke at any time the transfer of any unused portion of the entitlement so transferred.

(2) The modification or revocation of the transfer of entitlement under this paragraph shall be made by the local commander of the uniformed service of the individual from whom the entitlement was transferred.

(i) MODIFICATION; REVOCATION AND MODIFICATION.—(1) Subject to the time limitation for use of entitlement under section 3031 of this title, an individual approved to transfer entitlement to basic educational assistance under this section may modify or revoke at any time the transfer of any unused portion of the entitlement so transferred.

(2) The modification or revocation of the transfer of entitlement under this paragraph shall be made by the local commander of the uniformed service of the individual from whom the entitlement was transferred.

(3) The modification or revocation of the transfer of entitlement under this paragraph shall be made by the local commander of the uniformed service of the individual from whom the entitlement was transferred.

(4) The modification or revocation of the transfer of entitlement under this paragraph shall be made by the local commander of the uniformed service of the individual from whom the entitlement was transferred.

(5) The modification or revocation of the transfer of entitlement under this paragraph shall be made by the local commander of the uniformed service of the individual from whom the entitlement was transferred.

(j) MODIFICATION; REVOCATION AND MODIFICATION.—(1) Subject to the time limitation for use of entitlement under section 3031 of this title, an individual approved to transfer entitlement to basic educational assistance under this section may modify or revoke at any time the transfer of any unused portion of the entitlement so transferred.

(2) The modification or revocation of the transfer of entitlement under this paragraph shall be made by the local commander of the uniformed service of the individual from whom the entitlement was transferred.

(3) The modification or revocation of the transfer of entitlement under this paragraph shall be made by the local commander of the uniformed service of the individual from whom the entitlement was transferred.

(4) The modification or revocation of the transfer of entitlement under this paragraph shall be made by the local commander of the uniformed service of the individual from whom the entitlement was transferred.

(5) The modification or revocation of the transfer of entitlement under this paragraph shall be made by the local commander of the uniformed service of the individual from whom the entitlement was transferred.

(k) MODIFICATION; REVOCATION AND MODIFICATION.—(1) Subject to the time limitation for use of entitlement under section 3031 of this title, an individual approved to transfer entitlement to basic educational assistance under this section may modify or revoke at any time the transfer of any unused portion of the entitlement so transferred.

(2) The modification or revocation of the transfer of entitlement under this paragraph shall be made by the local commander of the uniformed service of the individual from whom the entitlement was transferred.

(3) The modification or revocation of the transfer of entitlement under this paragraph shall be made by the local commander of the uniformed service of the individual from whom the entitlement was transferred.

(4) The modification or revocation of the transfer of entitlement under this paragraph shall be made by the local commander of the uniformed service of the individual from whom the entitlement was transferred.

(5) The modification or revocation of the transfer of entitlement under this paragraph shall be made by the local commander of the uniformed service of the individual from whom the entitlement was transferred.

(6) The modification or revocation of the transfer of entitlement under this paragraph shall be made by the local commander of the uniformed service of the individual from whom the entitlement was transferred.

(l) MODIFICATION; REVOCATION AND MODIFICATION.—(1) Subject to the time limitation for use of entitlement under section 3031 of this title, an individual approved to transfer entitlement to basic educational assistance under this section may modify or revoke at any time the transfer of any unused portion of the entitlement so transferred.
H9378
CONGRESSIONAL RECORD—HOUSE
December 12, 2001

Sec. 734. Pilot program providing for Depart- 
ment of Veterans Affairs support in the performance of separation 
physical examinations.

Sec. 735. Multidisciplinary hearing on require- 
ment of nonavailability statement or preauthorization.

Sec. 736. Transitional health care for members 
of the uniformed services.

Sec. 737. Two-year extension of health care 
management demonstration programs.

Sec. 738. Joint DOD-VA pilot program for pro- 
viding graduate medical edu-
cation and training for physi-
cians.

Subtitle A—TRICARE Program Improvements

SEC. 761. SUB-ACUTE AND LONG-TERM CARE PRO-
GRAM REFORM.

(a) In General.—(1) Chapter 55 of title 10, 
United States Code, is amended by inserting after 
section 1074k the following new section:

"§1074j. Sub-acute care program.

"(a) Establishment.—The Secretary of De- 
fense shall establish an effective, efficient, and 
integrated sub-acute care benefits program under this chapter (hereinafter referred to in this section as the "program"). Except as otherwise provided in this section, the types of health care authorized under the program shall be the same as those provided under section 1079 of this title, except after consultation with the other administering Secretaries, shall promulgate regulations to carry out this section.

(b) Benefits.—(1) The program shall include a uniform skilled nursing facility benefit that shall be provided in the manner and under the conditions described in section 1861(h) and (i) of the Social Security Act (42 U.S.C. 1395x(h) and (i)), except that the limitation on the number of days of coverage under section 1812(a) and (b) of such Act (42 U.S.C. 1395d(a) and (b)) shall not be applicable under the program. Skilled nursing facility care for each spell of illness shall continue to be provided for as long as medically necessary and appropriate.

(2) In this subsection:

"(A) The term ‘skilled nursing facility’ has the meaning given such term in section 1812(a) of the Social Security Act (42 U.S.C. 1395d–2(a)).

"(B) The term ‘spell of illness’ has the mean- 
ing given such term in section 1812(a) of such Act (42 U.S.C. 1395d–2(a)).

"(3) The program shall include a comprehen- 
sive, prospective home health care benefit that shall be provided in the manner and under the conditions described in section 1861(m) of the Social Security Act (42 U.S.C. 1395x(m)).

(2) The table of sections at the beginning of such chapter is amended by inserting after the item relating to section 1074k the following new item:

"1074j. Sub-acute care program.

\[(b)\] Extended Benefits for Disabled Beneficiaries.—Section 1079 of title 10, United States Code, is amended by striking subsections (d), (e), and (f) and inserting the following new subsections:

\[(d)(1)\] The Secretary of Defense shall establish a program to provide extended benefits for eligible dependents which may include the provision of comprehensive health care services, including case management services, to assist in the reduction of the disabling effects of a qualifying condition of an eligible dependent. Regis-
tration shall be required to receive the extended benefits.

(2) The Secretary of Defense, after consulta-
tion with the other administering Secretaries, shall promulgate regulations to carry out this subsection.

(3) In this subsection:

"(i) The term ‘eligible dependent’ means a de-
pendent of a member of the uniformed services on active duty for a period of more than 30 days, as described in subparagraph (A), (D), or (I) of section 1072(12) of this title, who has a qualifying condition.

"(B) The term ‘qualifying condition’ means the condition of a dependent who is moderately or severely mentally retarded, has a serious physical disability, or has an extraordinary physical or psychological condition.

\[(e)(1)\] Extended benefits for dependents under subsection (d) may include comprehensive health care services (including services nec-
cessary to prevent or manage a patient’s pre-
deterioration of, function of the patient) and case management services with respect to the quali-
cifying condition of such a dependent, and in-
clude, to the extent such services are not pro-
vided under provisions of this chapter other than under this section, the following:

\[(1)\] Diagnoses.

\[(2)\] Inpatient, outpatient, and comprehensive health care supplies and services which may include cost effective and medically appro-
priate services other than part-time or intermit-
tent services (within the meaning of such terms as used in the second sentence of section 1861(m) of the Social Security Act).

\[(3)\] Training, rehabilitation, special edu-
cation, and assistive technology devices.

\[(4)\] Institutional care in private nonprofit, 

public, and State institutions and facilities, 

\[(5)\] Custodial care, notwithstanding the pro-

\[hibit in section 1070(b)(1) of this title.

\[(6)\] A member or the primary caregiver of 
the eligible dependent.

\[(7)\] Such other services and supplies as deter-

\[mined appropriate by the Secretary, notwith-
stant the limitations in subsection (a)(13).

\[(1)(i)\] Members shall be required to share in 
the cost of any benefits provided to their de-
pendents under subsection (d) as follows:

\[(A)\] Members in the lowest enlisted pay grade 
shall be required to pay the first $25 incurred for each month, and members in the highest com-
missioned pay grade shall be required to pay the first $250 incurred each month. The amounts to be paid by members in all other pay grades shall be determined under regulations to be prescribed by the Secretary of Defense in consultation with the administering Secretaries.

\[(B)\] A member who has more than one de-
pendent of the same degree of relationship 
shall be required to pay an amount greater than 
would be required if the member had only one 
such dependent.

(2) In the case of extended benefits provided 
under paragraph (3) or (4) of subsection (e) to a dependent of a member of the uniformed serv-
icies—

\[(A)\] the Government’s share of the total cost of 
providing such benefits in any month shall not exceed $2,500, except for costs that a member 
is exempt from paying under paragraph (3); and

\[(B)\] the member shall pay (in addition to any 
amount payable under paragraph (1)) the 
amount, if any, by which the amount of such 
total cost for the month exceeds the Govern-
ment’s maximum share under subparagraph (A).

\[(3)\] A member of the uniformed services who 
cannot afford the cost of extended benefits 
shall be required to pay under that subparagraph for the month if the member were incurring expenses under paragraph (2) of that paragraph an amount greater than the amount that the member would otherwise be required to pay under that subparagraph for the month if the member were incurring expenses under that subparagraph for only one dependent.

\[(4)\] To qualify for extended benefits under 
paragraph (3) or (4) of subsection (e), a depend-
ent of a member of the uniformed services shall be 
required to use public facilities to the extent such 
facilities are available and adequate, as determined under joint regulations of the admin-
istering Secretaries.

\[(5)\] The Secretary of Defense, in consultation with the other administering Secretaries, shall prescribe regulations to carry out this subsection.

\[(6)\] Definitions of Custodial Care and 

\[ommercial Care.—Section 1072 of title 10, 
United States Code, is amended by adding at 
the end the following new paragraphs:

\[(b)\] The term ‘custodial care’ means treat-

\[ivel care, regardless of who recommends 
for which the Secretary provided pay-

\[e new section: 

"§1074k. Long-term care insurance.

\[(a)\]Long-term care insurance services for any-

\[cient care services, regardless of who recommends 

\[ment or services are provided, that 

\[arent or other institution or home-like 

\[involved support for the activities of daily living. 

\[(c)\] The term ‘domiciliary care’ means care 
provided to a patient in an institution or home-
like environment because—

\[(1)\] A providing support for the activities of daily living in the home is not available or is unsuitable; or

\[(2)\] Members of the patient’s family are un-

\[provision of care to members and certain former members of the uniformed services and their families. 

\[(j)\] Reference in Title 10 to Long-term Care Program in Title 55 of title 10, United States Code, is amended by in-

\[tional initiative regarding Long-

\[n the jurisdiction of the Joint Com-

\[i of this section, was provided custodial care 

\[ed care services under the Individual Case Management 

\[e Secretary provided pay-

\[m of-if, and certain former members of the uniformed services and their families.

\[(k)\] Reference in Title 10 to Long- 

\[omestic Care. 

\[(m)\] Conforming Amendments.—(1) The fol-

\[vi of laws are repealed:

\[(A)\] Section 703 of the National Defense Au-

\[for Fiscal Year 2000 (Public Law 106-

\[(B)\] Section 1118 of the Department of Defense Appropriations Act, 2000 (Public Law 106–79; 113 Stat. 694).


\[(D)\] Section 1079 of title 10, United States Code, is amended in subsection (a) by striking para-

\[(17).\]
SEC. 702. PROSTHETICS AND HEARING AIDS.  
Section 1077 of title 10, United States Code, is amended—  
(1) in subsection (a), by adding at the end the following paragraph:

``(16) A hearing aid, or only for a dependent of a member of the uniformed services on active duty and only if the dependent has a profound hearing loss, as determined under standards prescribed in regulations by the Secretary of Defense in consultation with the administering Secretaries.``

(2) in subsection (b)(2), by striking “hearing aid, orthopedic footgear,” and inserting “orthopedic footgear”;

and

(3) by adding at the end the following new subsection:

``(e)(1) Authority to provide a prosthetic device under subsection (a)(15) includes authority to provide the following:

``(A) Any accessory or item of supply that is used in conjunction with the device for the purpose of achieving therapeutic benefit and proper function.

``(B) Services necessary to train the recipient of the device in the use of the device.

``(C) Repair of the device for normal wear and tear or damage.

``(D) Replacement of the device if the device is lost or irreparably damaged or the cost of repair would exceed 60 percent of the cost of replacement.

``(2) An augmentative communication device may be provided as a voice prosthesis under subsection (a)(15) if—

``(A) The device is necessary for the purpose of achieving therapeutic benefit and proper function;

``(B) Services necessary to train the recipient of the device in the use of the device; and

``(C) Repair of the device for normal wear and tear or damage.""

SEC. 703. DURABLE MEDICAL EQUIPMENT.  
(a) ITEMS AUTHORIZED.—Section 1077 of title 10, United States Code, as amended by section 702, is further amended—

(1) in subsection (a)(12), by striking “wheelchairs, iron lungs, and hospital beds” and inserting “wheelchairs, hospital beds”;

and

(2) by adding at the end the following new subsection:—

``(j)(1) Items that may be provided to a patient under this subsection include the following:

``(A) Any durable medical equipment that can improve, restore, or maintain the function of a malformed, diseased, or injured body part, or to provide the following:

``(i) Compensation for a member or former member of a participating uniformed service who is at least 21 years of age.

``(2) A contract for a plan covered by this section shall take effect on the date that is 90 days after the date of the enactment of this Act.

``(b) TRICARE PROGRAM LIMITATIONS ON PAYMENT FOR INSTITUTIONAL AND NONINSTITUTIONAL HEALTH CARE PROVIDERS.  
(a) INSTITUTIONAL PROVIDERS.—Section 1079(j) of title 10, United States Code, is amended—

``(1) in paragraph (2)(A), by striking “institutional,” and

``(2) in paragraph (2)(B), as redesignated by paragraph (4), and, in such paragraph, as so redesignated, by striking “subparagraph (A),” and inserting “this subsection,”;

and

``(3) by inserting before paragraph (4), as redesignated by paragraph (2), the following new subparagraph:

``(A) A contract for a plan covered by this section shall include a clause that prohibits each provider of services under the plan from billing a beneficiary or another person for any charges for services in excess of the amount paid for those services under the joint regulations referred to in paragraph (2), except for any unpaid amounts of deductibles or copayments that are payable directly to the provider by the person.

``(B) NONINSTITUTIONAL PROVIDERS.—Section 1079(h)(4) of such title is amended—

``(1) in paragraph (2), after “since” insert “(including the one-year period following the date of the enactment of this Act).”;

``(2) by redesignating subparagraph (B) of paragraph (2) as paragraph (4), and, in such paragraph, as so redesignated, by striking “subparagraph (A),” and inserting “this subsection,”;

and

``(3) by inserting after paragraph (4), as redesignated by paragraph (2), the following new subparagraph:

``(B) The regulations shall include a restriction that prohibits an individual health care professional (or other noninstitutional health care provider) from billing a beneficiary for services for more than the amount that is equal to—

``(i) the excess of the limiting charge (as defined in section 1842(g)(2) of the Social Security Act (42 U.S.C. 1395g(2))) that would be applicable if the services had been provided by the professional (or other provider) as an individual health care professional (or other noninstitutional health care provider) on a noninstitutional, noninstitutional health care provider basis under part B of title XVIII of such Act over the amount that is payable by the United States for those services under this subsection, plus

``(ii) any unpaid amounts of deductibles or copayments that are payable directly to the professional (or other provider) by the beneficiary.”.

``(c) EFFECTIVE DATE.—The amendments made by this section shall take effect on the date that is 90 days after the date of the enactment of this Act.

``(b) REPORTING ON MENTAL HEALTH BENEFITS.  
(a) REQUIREMENT FOR STUDY.—The Secretary of Defense shall carry out a study to determine the adequacy of the scope and availability of outpatient mental health benefits provided for members of the uniformed services under bene-

``(B) Nontechnical, oral, and other forms of communication, learning, and training provided under the TRICARE program.

``(c) The Secretary may reduce the nine-month start-up period required under paragraph (1) if—

``(A) the Secretary determines that a shorter period is sufficient to ensure effective implementation of all contract requirements; and

``(ii) submits notification to the Committees on Armed Services of the House of Representatives and the Senate of the Secretary’s intent to re-

``(B) 60 days have elapsed since the date of such notification.

``(d) FLEXIBILITY IN CONTRACTING.—

``(1) Section 1111 of such title is fur-

``(2) The regulations shall include a restric-

``(3) A contract for a plan covered by this section shall take effect on the date that is 90 days after the date of the enactment of this Act.

``(b) TRICARE PROGRAM LIMITATIONS ON PAYMENT FOR INSTITUTIONAL AND NONINSTITUTIONAL HEALTH CARE PROVIDERS.  
(a) INSTITUTIONAL PROVIDERS.—Section 1079(j) of title 10, United States Code, is amended—

``(1) in paragraph (2)(A), by striking “institutional,” and

``(2) in paragraph (2)(B), as redesignated by paragraph (4), and, in such paragraph, as so redesignated, by striking “subparagraph (A),” and inserting “this subsection,”;

and

``(3) by inserting before paragraph (4), as redesignated by paragraph (2), the following new subparagraph:

``(A) A contract for a plan covered by this section shall include a clause that prohibits each provider of services under the plan from billing a beneficiary or another person for any charges for services in excess of the amount paid for those services under the joint regulations referred to in paragraph (2), except for any unpaid amounts of deductibles or copayments that are payable directly to the provider by the person.

``(B) NONINSTITUTIONAL PROVIDERS.—Section 1079(h)(4) of such title is amended—

``(1) in paragraph (2), after “since” insert “(including the one-year period following the date of the enactment of this Act).”;

``(2) by redesignating subparagraph (B) of paragraph (2) as paragraph (4), and, in such paragraph, as so redesignated, by striking “subparagraph (A),” and inserting “this subsection,”;

and

``(3) by inserting after paragraph (4), as redesignated by paragraph (2), the following new subparagraph:

``(B) The regulations shall include a restriction that prohibits an individual health care professional (or other noninstitutional health care provider) from billing a beneficiary for services for more than the amount that is equal to—

``(i) the excess of the limiting charge (as defined in section 1842(g)(2) of the Social Security Act (42 U.S.C. 1395g(2))) that would be applicable if the services had been provided by the professional (or other provider) as an individual health care professional (or other noninstitutional health care provider) on a noninstitutional, noninstitutional health care provider basis under part B of title XVIII of such Act over the amount that is payable by the United States for those services under this subsection, plus

``(ii) any unpaid amounts of deductibles or copayments that are payable directly to the professional (or other provider) by the beneficiary.”.

``(c) EFFECTIVE DATE.—The amendments made by this section shall take effect on the date that is 90 days after the date of the enactment of this Act.

``(b) REPORTS ON MENTAL HEALTH BENEFITS.  
(a) REQUIREMENT FOR STUDY.—The Secretary of Defense shall carry out a study to determine the adequacy of the scope and availability of outpatient mental health benefits provided for members of the uniformed services under bene-

``(B) Nontechnical, oral, and other forms of communication, learning, and training provided under the TRICARE program.

``(c) The Secretary may reduce the nine-month start-up period required under paragraph (1) if—

``(A) the Secretary determines that a shorter period is sufficient to ensure effective implementation of all contract requirements; and

``(ii) submits notification to the Committees on Armed Services of the House of Representatives and the Senate of the Secretary’s intent to re-

``(B) 60 days have elapsed since the date of such notification.

``(d) FLEXIBILITY IN CONTRACTING.—

``(1) Section 1111 of such title is fur-
before such regulations become effective. The Comptroller General shall, not later than 30 days after receiving such regulations, report to the Secretary of Defense and Congress on the adequacy and appropriateness of the regulations.

(ii) If the Secretary of Defense enters into an agreement with another administering Secretary pursuant to this section, the Secretary of Defense may take the actions described in subsections (c), (d), and (e) on behalf of the beneficiaries and programs of the other participating uniformed service:

(d) SOURCE OF FUNDS FOR MONTHLY ACRUAL PAYMENTS INTO THE FUND.—Section 1116 of such title is further amended by adding to the end the following new subsection:

"(c) Amounts paid into the Fund under subsection (a) shall be paid from funds available for the health care programs of the participating uniformed services under the jurisdiction of the respective administering Secretaries,"

(iii) TECHNICAL AMENDMENTS.—Sections 1111(c) of such title and 1116(a)(2)(A) of such title are amended by striking "funds available for the health care programs of the participating uniformed services under the jurisdiction of the respective administering Secretaries,"

(iv) The heading for section 1111 of such title is amended to read as follows:

"§1111. Establishment and purpose of Fund; definitions; authority to enter into agreements."

(v) The item relating to section 1111 in the table of sections at the beginning of chapter 56 of such title is amended to read as follows:

---

(1) Establishment and purpose of Fund; definitions; authority to enter into agreements.

---


(g) FIRST YEAR CONTRIBUTIONS.—With respect to contributions under section 1116(a) of title 10, United States Code, for the first year that the Department of Defense Medicare-Eligible Retiree Health Care Fund is established under chapter 56 of such title, if the Board of Actuaries is unable to enter into an agreement with the participating uniformed services to provide for such members and their families using various cost-sharing arrangements;

(h) REPORT.—Not later than May 1, 2002, the Comptroller General shall submit to Congress a report describing the findings of the study conducted under subsection (a).

---

SEC. 722. COMPTROLLER GENERAL STUDY OF ADEQUACY AND QUALITY OF HEALTH INSURANCE BENEFITS IN THE NATIONAL GUARD.

(a) REQUIREMENT FOR STUDY.—The Comptroller General shall carry out a study of the adequacy and quality of the health insurance benefits provided to women under chapter 55 of title 10, United States Code.

(b) SPECIFIC CONSIDERATION.—The study shall include an intensive review of the availability and quality of reproductive health care services.

---

SEC. 723. REPEAL OF OBSOLETE REPORT REQUIREMENT.

SEC. 731. PROHIBITION AGAINST REQUIRING MILITARY RETIREES TO RECEIVE HEALTH CARE SOLELY THROUGH DEPARTMENT OF DEFENSE.

(a) PROHIBITION.—Chapter 55 of title 10, United States Code, is amended by inserting after section 1086a the following new section:

"§1086b. Prohibition against requiring retired members to receive health care solely through the Department of Defense.

"The Secretary of Defense may not take any action that would require, or have the effect of requiring, a member or former member of the armed forces who is entitled to retired or retainer pay to enroll to receive health care from the Federal Government only through the Department of Defense."

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter is amended by inserting after the item referring to section 1086a the following new item:

"§1086b. Prohibition against requiring retired members to receive health care solely through the Department of Defense."

SEC. 732. FEES FOR TRAUMA AND OTHER MEDICAL CARE PROVIDED TO CIVILIANS.

(a) REQUIREMENT TO IMPLEMENT PROCEDURES.—(1) Chapter 55 of title 10, United States Code, is amended by inserting after section 1079a the following new section:

"§1079b. Procedures for charging fees for care provided to civilians; retention and use of fees collected.

(1) Requirement to implement procedures.—The Secretary of Defense shall implement procedures under which a military medical treatment facility may charge civilians who are not covered beneficiaries (or their insurers) fees representing the costs, as determined by the Secretary, of trauma and other medical care provided to such civilians.

(2) Use of fees collected.—A military medical treatment facility may retain and use the amounts collected under subsection (a) for—

(A) trauma consortium activities;

(B) administrative, operating, and equipment costs; and

(C) readiness training.

(2) Table of sections at the beginning of such chapter is amended by inserting after the item referring to section 1079a the following new item:

"§1079b. Procedures for charging fees for care provided to civilians; retention and use of fees collected."

(b) DEADLINE FOR IMPLEMENTATION.—The Secretary of Defense shall begin to implement the procedures required by section 1079b(a) of title 10, United States Code (as added by subsection (a)), not later than one year after the date of the enactment of this Act.

SEC. 733. ENHANCEMENT OF MEDICAL PRODUCT DEVELOPMENT.

Section 980 of title 10, United States Code, is amended—

(1) by inserting "(a) before "Funds"; and"

(2) by adding at the end the following new subsection:

"(b) The Secretary of Defense may waive the prohibition in this section with respect to a specific research project to advance the development of a medical product necessary to the armed forces or the public health, provided the research project may directly benefit the subject and is carried out in accordance with all other applicable laws."

SEC. 734. PILOT PROGRAM PROVIDING FOR DEPARTMENT OF VETERANS AFFAIRS SUPPORT IN THE PERFORMANCE OF SEPARATION PHYSICAL EXAMINATIONS.

(a) AUTHORITY.—The Secretary of Defense and the Secretary of Veterans Affairs may jointly carry out a pilot program under which the Secretary of Veterans Affairs may perform the physical examinations required for members of the uniformed services who are separated from the uniformed services who are in one or more geographic areas designated for the pilot program by the Secretaries.

(b) REIMBURSEMENT.—The Secretary of Defense shall reimburse the Secretary of Veterans Affairs for the cost incurred by the Secretary of Veterans Affairs in performing, under the pilot program, the physical examinations that are required by the Secretary concerned in connection with the separation of a member of a uniformed service. Reimbursements shall be paid out of funds available for the performance of separation physical examinations of members of that uniformed service in facilities of the uniformed services.

(c) AGREEMENT.—(1) If the Secretary of Defense and the Secretary of Veterans Affairs carry out the pilot program authorized by this section, the Secretaries shall enter into an agreement specifying the geographic areas in which the pilot program is carried out and the means for making reimbursement payments under subsection (b).

(2) The other administering Secretaries shall also enter into the agreement to the extent that the Secretary of Defense determines necessary to apply the pilot program, including the requirement for reimbursement, to the uniformed services not under the jurisdiction of the Secretary of a military department.

(d) CONSULTATION.—In developing and carrying out the pilot program, the Secretary of Defense shall consult with the other administering Secretaries.

(2) The term "prohibition" means the prohibition contained in paragraph (1).

(3) REPORTS.—(A) Not later than January 31, 2004, the Secretary of Defense shall submit to Congress an interim report on the conduct of the pilot program;

(B) not later than March 1, 2005, the Secretary shall submit to Congress a final report on the conduct of the pilot program;

(4) The report required under paragraph (2) shall include the Secretaries' assessment, as of the date of the report, of the efficacy of the performance of separation physical examinations as provided for under the pilot program.

(g) DEFINITIONS.—In this section:

(1) The term "secretary" means the Secretary of Defense; and

(2) The term "Secretary concerned" means the Secretary of Defense and the Secretary of Veterans Affairs.

SECTION 735. MODIFICATION OF PROHIBITION ON REQUIREMENT OF NONAVAILABILITY OR PREAUTHORIZATION.

(a) CLARIFICATION OF COVERED BENEFICIARIES.—Subsection (a) of section 721 of the Floyd D. Spence National Defense Authorization Act for Fiscal Year 2002 is amended by striking "in accordance with the provisions of section 801;" and

(b) RETIREMENT.—Repeal of requirement for notification regarding health care received from another source.—Subsection (b) of such section is repealed.

(c) WAIVER AUTHORITY.—Such section, as so amended, is further amended by striking subsection (c) and inserting the following new subsection:

"(c) Waiver Authority.—The Secretary may waive the prohibition in subsection (a) if—

(1) the Secretary—

(A) demonstrates that significant costs would be avoided by performing specific procedures at the military medical treatment facility or facilities;

(B) determines that the lack of nonavailability statement data would significantly interfere with TRICARE contract administration; and

(C) waives exception for maternity care."

(d) EFFECTIVE DATE.—(1) Subsection (a) of such section is amended by striking "under any new contract for the provision of health care services" and inserting "on or after October 1, 2002;"

(2) Subsection (d) of such section is amended by striking "take effect on October 1, 2001," and inserting "take effect on the earlier of the following:

(A) the date that a new contract entered into by the Secretary to provide health care services under TRICARE Standard takes effect;

(B) the date that is two years after the date of the enactment of the National Defense Authorization Act for Fiscal Year 2002;"

(e) REPORT.—Not later than March 1, 2002, the Secretary of Defense shall submit to the Committees on Armed Services of the House of Representatives and the Senate the Secretary's plans for implementing section 721 of the Floyd D. Spence National Defense Authorization Act for Fiscal Year 2001, as amended by this section.

SEC. 736. TRANSITIONAL HEALTH CARE FOR MEMBERS SEPARATED FROM ACTIVE DUTY.

(a) PERMANENT AUTHORITY FOR INVOLUNTARILY SEPARATED MEMBERS AND MOBILIZED RESERVES.—Subsection (a) of section 1145 of title 10, United States Code, is amended—

(1) in paragraph (1), by striking "paragraph (2), a member" and all that follows through "of the member;" and

(2) by redesignating paragraph (2) as paragraph (3);

(3) by inserting after paragraph (1) the following new paragraph:

"(2) This subsection applies to the following members of the armed forces:

(A) a member who is involuntarily separated from active duty;

(B) a member of a reserve component who is separated from active duty to which called or ordered to active duty in support of a contingency operation if the active duty is active duty for a period of more than 30 days.

(C) a member who is separated from active duty to which the member is involuntarily retained under section 12305 of this title in support of a contingency operation."
“(D) A member who is separated from active duty served pursuant to a voluntary agreement of the member to remain on active duty for a period of less than one year in support of a contingency operation before that date.

(4) in paragraph (3), as redesignated by paragraph (2), by striking “involuntarily” each place it appears.

(b) CONFORMING AMENDMENTS.—Such section 1145 is further amended—

(1) in subsection (c)(1), by striking “during the period beginning on October 1, 1996, and ending December 31, 2001”; and

(2) in subsection (e), by striking the first sentence.

(c) REPEAL OF SUPERSEDED AUTHORITY.—(4) Section 1074b of title 10, United States Code, is repealed.

(2) The table of sections at the beginning of chapter 55 of such title is amended by striking the item relating to section 1074b.

(d) TRANSITION PROVISION.—Notwithstanding the repeal of section 1074b of title 10, United States Code, by subsection (c), the provisions of that section, as in effect before the date of the enactment of this Act, shall continue to apply to a member of the Armed Forces who is released from active duty in support of a contingency operation before that date.

SEC. 737. TWO-YEAR EXTENSION OF HEALTH CARE MANAGEMENT DEMONSTRATION PROGRAM.


(b) REPORT.—Subsection (e) of that section is amended—

(1) by striking “REPORT.—” and inserting “REPORT—”;

and

(2) by striking “March 15, 2002” and inserting “March 15, 2004”.

SEC. 738. JOINT DOD-VA PILOT PROGRAM FOR PROVIDING GRADUATE MEDICAL EDUCATION AND TRAINING FOR PHYSICIANS.

(a) IN GENERAL.—The Secretary of Defense and the Secretary of Veterans Affairs shall jointly carry out a pilot program under which graduate medical education and training is provided to military physicians and physician employees of the Department of Defense and the Department of Veterans Affairs.

(2) The responsibilities of a designated official shall include, with respect to the procurement of services for the military department or Defense Agencies and components by that official, the following:

(A) Ensuring that the services are procured by means of contracts or task orders that are in the best interests of the Department of Defense or Defense Agencies entered into or issued and managed in compliance with applicable statutes, regulations, directives, and other requirements, regardless of whether the services are procured through a contract or task order of the Department of Defense or through a contract entered into or task order issued by an official of the United States outside the Department of Defense.

(B) Analyzing data collected under section 2330a of title 10 contracts that are entered into for the procurement of services.

(c) Approving, in advance, any procurement of services above the thresholds established pursuant to subsection (a)(2)(D) that is to be made through the use of—

(I) a contract or task order that is not a performance-based contract or task order; or

(ii) a contract entered into, or a task order issued, by an official of the United States outside the Department of Defense.

The responsibilities of a designated official may be delegated to other employees of the Department of Defense in accordance with the criteria established by the Secretary of Defense.

(d) PERFORMANCE.—In this section, the term ‘performance-based’, with respect to a contract or a task order means that the contract or task order, respectively, includes the use of performance work statements that set forth requirements in clear, specific, and objective terms with measurable outcomes.”.

(2) Not later than 180 days after the date of the enactment of this Act—

A. The Secretary of Defense shall establish and implement the management structure required under section 2330 of title 10, United States Code (as added by paragraph (1)); and

B. The Under Secretary of Defense for Acquisition, Technology, and Logistics shall issue guidance for officials in the management structure established under such section 2330 regarding how to carry out their responsibilities under that section.

SEC. 801. MANAGEMENT OF PROCUREMENT OF SERVICES.

(a) RESPONSIBILITY OF UNDER SECRETARY OF DEFENSE FOR ACQUISITION, TECHNOLOGY, AND LOGISTICS.—Section 133(b)(2) of title 10, United States Code, is amended by inserting “of goods and services” after “procurement”.

(b) REQUIREMENTS FOR MANAGEMENT STRUCTURE.—(1) Chapter 137 of such title is amended by inserting after section 2328 the following new section:

"§2330. Procurement of services: management structure

(1) REQUIREMENT FOR MANAGEMENT STRUCTURE.—(1) The Secretary of Defense shall establish and implement a management structure for the procurement of services for the Department of Defense. The management structure shall be comparable to the management structure that applies to the procurement of products by the Department.

(2) The management structure required by paragraph (1) shall—

(A) provide for a designated official in each military department to exercise responsibility for the management of the procurement of services for such department;

(B) provide for a designated official for Defense Agencies and other defense components outside the military departments to exercise responsibility for the management of the procurement of services for such Defense Agencies and components;

(C) include a means by which employees of the departments, Defense Agencies, and components are accountable to such designated officials for carrying out the requirements of subsection (b); and

(D) establish specific dollar thresholds and other criteria for advance approvals of purchases under subsection (b) and delegations of authority under subsection (b)(2).

(B) CONTRACTING RESPONSIBILITIES OF DESIGNATED OFFICIALS.—(1) The responsibilities of an official designated as a designated official shall include, with respect to the procurement of services for the military department or Defense Agencies and components by that official, the following:

(A) Ensuring that the services are procured by means of contracts or task orders that are in the best interests of the Department of Defense or Defense Agencies entered into or issued and managed in compliance with applicable statutes, regulations, directives, and other requirements, regardless of whether the services are procured through a contract or task order of the Department of Defense or through a contract entered into or task order issued by an official of the United States outside the Department of Defense.

(B) Analyzing data collected under section 2330a of title 10 contracts that are entered into for the procurement of services.

(C) Approving, in advance, any procurement of services above the thresholds established pursuant to subsection (a)(2)(D) that is to be made through the use of—

(I) a contract or task order that is not a performance-based contract or task order; or

(ii) a contract entered into, or a task order issued, by an official of the United States outside the Department of Defense.

The responsibilities of a designated official may be delegated to other employees of the Department of Defense in accordance with the criteria established by the Secretary of Defense.

(d) PERFORMANCE.—In this section, the term ‘performance-based’, with respect to a contract or a task order means that the contract or task order, respectively, includes the use of performance work statements that set forth requirements in clear, specific, and objective terms with measurable outcomes.”.

(2) Not later than 180 days after the date of the enactment of this Act—

A. The Secretary of Defense shall establish and implement the management structure required under section 2330 of title 10, United States Code (as added by paragraph (1)); and

B. The Under Secretary of Defense for Acquisition, Technology, and Logistics shall issue guidance for officials in the management structure established under such section 2330 regarding how to carry out their responsibilities under that section.

C. TRACKING OF PROCUREMENT OF SERVICES.—Chapter 137 of title 10, United States Code (as amended by subsection (b), is further amended by inserting after section 2330 the following new section:
§2330a. Procurement of services: tracking of purchases

(a) DATA COLLECTION REQUIRED.—The Secretary of Defense shall establish a data collection system to provide management information with respect to each purchase of services by a military department or Defense Agency in excess of the simplified acquisition threshold, regardless of whether such a purchase is made in the form of a contract, task order, delivery order, military interdepartmental purchase request, or any other form of interagency agreement.

(b) DATA TO BE COLLECTED.—The data required to be collected under subsection (a) includes the following:

(1) The services purchased.

(2) The total dollar amount of the purchase.

(3) The form of contracting action used to make the purchase.

(4) Whether the purchase was made through—

(A) a performance-based contract, performance-based task order, or other performance-based arrangement that contains firm fixed prices for the specific tasks to be performed;

(B) any other performance-based contract, performance-based task order, or performance-based arrangement; or

(C) any contract, task order, or other arrangement that is not performance based.

(5) In the case of a purchase made through an agency other than the Department of Defense, the agency through which the purchase is made.

(6) The extent of competition provided in making the purchase and whether there was more than one offer.

(7) Whether the purchase was made from—

(A) a small business concern;

(B) a small business concern owned and controlled by socially and economically disadvantaged individuals; or

(C) a small business concern owned and controlled by women.

(c) COMPATIBILITY WITH DATA COLLECTION SYSTEM FOR INFORMATION TECHNOLOGY PURCHASES.—To the maximum extent practicable, a single data collection system shall be used to collect data under this section and information under section 2225 of this title.

(d) DEFINITIONS.—In this section:

(1) The term ‘performance-based’, with respect to contract, task order, or arrangement, means that the contract, task order, or arrangement, respectively, includes the use of performance work statements that set forth contract requirements that are specific, objective, and terms against measurable outcomes.

(2) The definitions set forth in section 2225(f) of this title for the terms ‘simplified acquisition threshold’, ‘small business concern’, ‘small business concern owned and controlled by socially and economically disadvantaged individuals’, and ‘small business concern owned and controlled by women’ shall apply.

(3) REQUIREMENT FOR PROGRAM REVIEW STRUCTURE.—(1) Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall issue and implement a policy that applies to the procurement of services by the Department of Defense a program review structure that is similar to the one developed for and applied to the procurement of weapon systems by the Department of Defense.

(2) The program review structure for the procurement of services shall, at a minimum, include the following:

(A) Standards for determining which procurements should be subject to review by the senior procurement executive of the Department of Defense pursuant to section 2225 of this title, including criteria based on dollar thresholds, program criticality, or other appropriate measures.

(B) Appropriate key decision points at which these reviews should take place.

(c) A description of the specific matters that should be reviewed.

(d) COMPETRER GENERA REVIEW.—Not later than 90 days after the date on which the Secretary submits to the Congress the report required by subsection (d) and the Under Secretary of Defense for Acquisition, Technology and Logistics issues the guidance required by subsection (b)(2), the Secretary shall submit to the Committees on Armed Services of the Senate and the House of Representatives an assessment of the compliance with the requirements of this section and the amendments made by this section.

(f) DEFINITIONS.—In this section:

(1) The term ‘senior procurement executive’ means the official designated by the senior procurement executive of the Department of Defense as the person who is responsible for each of the categories of services represented by the Department of Defense under such section, paragraph (2), or clause (i) of section 803(b)(2) of this title.

(2) The term ‘performance-based’, with respect to a contract or task order means that the contract or task order, respectively, includes the use of performance work statements that set forth contract requirements that are specific, objective, and terms against measurable outcomes.

(g) CLERICAL AMENDMENTS.—(1) The heading for section 120, United States Code, is amended to read as follows: ‘‘§2331. Procurement of services: contracts for professional and technical services’’.

SEC. 802. SAVINGS GOALS FOR PROCUREMENTS OF SERVICES.

(a) GOALS.—(1) It shall be the objective of the Department of Defense to achieve savings in expenditures for procurements of services through the use of—

(A) performance-based services contracting;

(B) multiple award contracts; and

(C) program review, spending analyses, and improved management of services contracts.

(b) COMPETITION REQUIREMENT FOR PURCHASE OF SERVICES PURSUANT TO MULTIPLE AWARD CONTRACTS.

(a) REGULATIONS REQUIRED.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall promulgate in the Department of Defense Supplement to the Federal Acquisition Regulation regulations requiring competition in the purchase of services by the Department of Defense pursuant to multiple award contracts.

(b) CONTENT AND EVALUATION OF REGULATIONS.—(1) The regulations required by subsection (a) shall provide, at a minimum, that the purchase of services in excess of $100,000 that is made under a multiple award contract shall be made on a competitive basis unless a contracting officer of the Department of Defense determines that—

(A) waivers the requirement on the basis of a determination that—

(i) one of the circumstances described in paragraphs (A), (B), or (C) of section 803(b)(2) of title 10, United States Code, applies to such individual purchase; or

(ii) a statute expressly authorizes or requires that the purchase be made from a specified source; and

(B) justifies the determination in writing.

(2) For purposes of this subsection, an individual purchase of services is made on a competitive basis only if it is made pursuant to procedures that—

(A) require fair notice of the intent to make that purchase (including a description of the work to be performed and the basis on which the selection will be made) to be provided to all contractors offering such services under the multiple award contract; and

(B) afford all contractors responding to the notice a fair opportunity to make an offer and have that offer considered by the official making the purchase.

(3) Notwithstanding paragraph (2), notice may be provided to fewer than all contractors offering such services under a multiple award contract described in subsection (c)(2)(A) if notice is provided to as many contractors as practicable.

(4) A purchase may not be made pursuant to a notice that is provided to fewer than all contractors under paragraph (3) unless—

(A) offers were received from at least three qualified contractors; or

(B) a contracting officer of the Department of Defense determines in writing that no additional qualified contractors were able to be identified despite reasonable efforts to do so.

(c) DEFINITIONS.—In this section:

(1) The term ‘individual purchase’ means a task order, delivery order, or other purchase.

(2) The term ‘multiple award contract’ means—

(A) a contract that is entered into by the Administrator of General Services under the multiple award schedule program referred to in section 2302(c)(10) of title 10, United States Code;

(B) a multiple award task order contract that is entered into under subsection (a) of sections 2304a through 2304d of title 10, United States Code, or sections 303H through 303K of the Federal Property and Administrative Services Act of 1970 (41 U.S.C. 253b through 253k); or

(C) any other indefinite delivery, indefinite quantity contract that is entered into by the—
be a head of a Federal agency with two or more sources pursuant to the same solicitation.

(3) The term ‘Defense Agency’ has the meaning given in section 101(a)(11) of title 10, United States Code.

(d) Applicability.—The regulations promulgated by the Secretary pursuant to subsection (a) shall take effect not later than 180 days after the date of enactment of this Act and shall apply to all individual purchases of services that are made under multiple award contracts on or after the effective date, without regard to whether multiple award contracts were entered into before, on, or after such effective date.

SEC. 804. REPORT ON MATURITY OF TECHNOLOGY AND INITIATION OF MODIFIED DEFENSE ACQUISITION PROGRAMS.

(a) Reports Required.—Not later than March 1 of each of years 2003 through 2006, the Secretary of Defense shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report on the implementation of the requirement in paragraph 4.7.3.2.2.2 of Department of Defense Instruction 5000.2, as in effect on the date of enactment of this Act.

(b) Consideration.—In conducting such a consideration, the Secretary shall consider a timely offer to be a proposal that: (i) is determined by the Secretary to be a conformance with the specifications and evaluation criteria set forth in paragraph (1); (ii) is made in accordance with section 2410n; (iii) is determined by the Secretary to be a conformance with the specifications and evaluation criteria set forth in section 2410n; and (iv) is determined by the Secretary to be a conformance with the specifications and evaluation criteria set forth in section 2410n.

(c)确定.—In conducting such a consideration, the Secretary shall consider a timely offer to be a proposal that: (i) is determined by the Secretary to be a conformance with the specifications and evaluation criteria set forth in paragraph (1); (ii) is made in accordance with section 2410n; (iii) is determined by the Secretary to be a conformance with the specifications and evaluation criteria set forth in section 2410n; and (iv) is determined by the Secretary to be a conformance with the specifications and evaluation criteria set forth in section 2410n.

(d) Determination.—In the case of a timely offer, the Secretary shall determine that a Federal Prison Industries product is not comparable in price or quality, or that the offer is not a timely offer from Federal Prison Industries for award in accordance with the specifications and evaluation factors specified in the solicitation.

(e) Limitation.—In the case of a timely offer, the Secretary shall determine that a Federal Prison Industries product is not comparable in price or quality, or that the offer is not a timely offer from Federal Prison Industries for award in accordance with the specifications and evaluation factors specified in the solicitation.

(f) Exception.—In the case of a timely offer, the Secretary shall determine that a Federal Prison Industries product is not comparable in price or quality, or that the offer is not a timely offer from Federal Prison Industries for award in accordance with the specifications and evaluation factors specified in the solicitation.

(g) Exception.—In the case of a timely offer, the Secretary shall determine that a Federal Prison Industries product is not comparable in price or quality, or that the offer is not a timely offer from Federal Prison Industries for award in accordance with the specifications and evaluation factors specified in the solicitation.

(h) Exception.—In the case of a timely offer, the Secretary shall determine that a Federal Prison Industries product is not comparable in price or quality, or that the offer is not a timely offer from Federal Prison Industries for award in accordance with the specifications and evaluation factors specified in the solicitation.

(i) Exception.—In the case of a timely offer, the Secretary shall determine that a Federal Prison Industries product is not comparable in price or quality, or that the offer is not a timely offer from Federal Prison Industries for award in accordance with the specifications and evaluation factors specified in the solicitation.

(j) Exception.—In the case of a timely offer, the Secretary shall determine that a Federal Prison Industries product is not comparable in price or quality, or that the offer is not a timely offer from Federal Prison Industries for award in accordance with the specifications and evaluation factors specified in the solicitation.

(k) Exception.—In the case of a timely offer, the Secretary shall determine that a Federal Prison Industries product is not comparable in price or quality, or that the offer is not a timely offer from Federal Prison Industries for award in accordance with the specifications and evaluation factors specified in the solicitation.

(l) Exception.—In the case of a timely offer, the Secretary shall determine that a Federal Prison Industries product is not comparable in price or quality, or that the offer is not a timely offer from Federal Prison Industries for award in accordance with the specifications and evaluation factors specified in the solicitation.
(2) The Secretary of Defense shall require that in order for a member of the armed forces to be selected for an occupational specialty within the armed forces that (as determined by the Secretary of Defense to the GS-1102 occupational series a member of the armed forces meets the requirements set forth in paragraph (3) of subsection (a), the Secretary may not require that individual to complete at least 24 semester credit hours or the equivalent of study in any of the disciplines described in paragraph (1).

(b) CLERICAL AMENDMENT. Section 732(c)(2) of such title is amended by inserting a comma after “business”.

SEC. 825. REPORT ON IMPLEMENTATION OF RECOMMENDATIONS OF THE ACQUISITION 2005 TASK FORCE.

(a) REQUIREMENT FOR REPORT. Not later than March 1, 2002, the Secretary of Defense shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report on the extent of the implementation of the recommendations set forth in the final report of the Department of Defense Acquisition 2005 Task Force entitled “Shaping the Civilian Acquisition Workforce of the Future”.

(b) CONTENT OF REPORT. The report shall include the following:

(1) For each recommendation in the final report that is being implemented or that the Secretary plans to implement:

(A) a summary of all actions that have been taken to implement the recommendation; and

(B) a schedule, with specific milestones, for completing the implementation of the recommendation.

(2) For each recommendation in the final report that the Secretary does not plan to implement:

(A) the reasons for the decision not to implement the recommendation; and

(B) a summary of any alternative actions the Secretary plans to take to address the purposes underlying the recommendation.

(3) A summary of any additional actions the Secretary certifies that the individual possesses significant potential for advancement to levels of greater responsibility and authority, based on demonstrated job performance and qualifying experience.

With respect to each waiver granted under this subsection, the board shall set forth in a written document the rationale for its decision to waive such requirements. Such document shall be submitted to and retained by the Director of Civilian Personnel, Education, Training, and Career Development.

(e) DEVELOPMENTAL OPPORTUNITIES. (1) The Secretary of Defense may—

(A) establish or continue one or more programs for the purpose of recruiting, selecting, appointing, educating, qualifying, and developing the careers of individuals to meet the requirements in subparagraphs (A) and (B) of subsection (a)(3); and

(B) appoint individuals to developmental positions.

(2) To qualify for any developmental program described in paragraph (1)(B), an individual shall have—

(A) been awarded a baccalaureate degree, with a grade point average of at least 3.0 (or the equivalent), from an accredited institution of higher education; or

(B) completed at least 24 semester credit hours of study from an accredited institution of higher education in any of the disciplines of accounting, business, finance, law, contracts, purchasing, economics, industrial management, marketing, quantitative methods, or organization and management; or

(C) passing an examination that demonstrates skills, knowledge, or abilities comparable to an individual who has completed at least 24 semester credit hours or the equivalent of study in any of the disciplines described in paragraph (1).

(f) CONTINGENCY CONTRACTING FORCE. The Secretary shall establish qualification requirements for the contingency contracting force consisting of members of the armed forces whose mission is to deploy in support of contingency operations and other operations of the Department of Defense.

(1) completion of at least 24 semester credit hours or the equivalent of study from an accredited institution of higher education or similar educational institution in any of the disciplines of accounting, business, finance, law, contracts, purchasing, economics, industrial management, marketing, quantitative methods, or organization and management; or

(2) passing an examination that demonstrates skills, knowledge, or abilities comparable to an individual who has completed at least 24 semester credit hours or the equivalent of study in any of the disciplines described in paragraph (1).

(g) WAIVER. The acquisition career program board concerned may waive any or all of the requirements of subsection (a) and (b) with respect to an employee of the Department of Defense or member of the armed forces who—

(1) has served on or before September 30, 2000, in a position either as an employee in the GS-1102 series or as a member of the armed forces in a similar occupational specialty;

(2) has completed at least 24 semester credit hours or the equivalent of study from an accredited institution of higher education or similar educational institution of higher education or similar educational institution in any of the disciplines of accounting, business, finance, law, contracts, purchasing, economics, industrial management, marketing, quantitative methods, or organization and management.

(h) WITNESSES. The Comptroller General shall be shown the implementation of the recommendations; and

(i) report that the Secretary does not plan to implement the recommendation.

SEC. 831. IDENTIFICATION OF ERRORS MADE BY EXECUTIVE AGENCIES IN PAYMENTS TO CONTRACTORS AND RECOVERY OF AMOUNTS ERRONEOUSLY PAID.

(a) PROGRAM REQUIRED. (1) Chapter 35 of title 31, United States Code, is amended by adding at the end the following new subchapter:

“SUBCHAP. VI—RECOVERY AUDITS

§3561. Identification of errors made by executive agencies in payments to contractors and recovery of amounts erroneously paid

(a) PROGRAM REQUIRED.—The head of each executive agency that enters into contracts with a total value in excess of $500,000,000 in a fiscal year shall carry out a cost-effective program for identifying any errors made in paying the contractors and for recovering any amounts erroneously paid to the contractors.

(b) RECOVERY AUDITS AND ACTIVITIES.—A program of an executive agency under subsection (a) does not preclude the executive agency from conducting recovery audits and recovery activities. The head of the executive agency shall determine, in accordance with guidance provided under subsection (c), the scope of the executive agency’s recovery audits and recovery activities and the recovery activities are appropriately applied.

(c) OMB GUIDANCE.—The Director of the Office of Management and Budget shall issue guidance for the conduct of programs under subsection (a). The guidance shall include the following:

(1) Definitions of the terms “recovery audit” and “recovery activity” for the purposes of the program.

(2) The classes of contracts to which recovery audits and recovery activities are appropriately applied under the programs.

(3) Protections for the confidentiality of—

(A) sensitive financial information that has not been released for use by the general public; and

(B) information that could be used to identify a person.

(4) Policies and procedures for ensuring that the implementation of the programs does not result in duplicative audits or recovery activities.

(5) Policies regarding the types of contracts executive agencies may use for the procurement of recovery services, including guidance for use, in appropriate circumstances, of a contingency contract pursuant to which the head of an executive agency may pay a contractor an amount equal to a percentage of the total amount collected in the United States pursuant to that contract.

(6) Protections for a contractor’s records and facilities through restricted access to the personnel of an executive agency under a contract for the procurement of recovery services for an executive agency.

(7) To require the production of any record or information by any person other than an officer, employee, or agent of the executive agency.

(8) To establish, or otherwise have, a physical presence on the property or premises of any private sector entity for the purposes of performing the contract; or

(9) As agents for the Government in the recovery of funds erroneously paid to contractors.

(10) For the appropriate types of management improvement programs authorized by section 3564 of this title that executive agencies may carry out to address overpayment problems and the recovery of overpayments.

SEC. 832. DISPOSITION OF RECOVERED FUNDS.

(a) AVAILABILITY OF FUNDS FOR RECOVERY AUDITS AND ACTIVITIES PROGRAM.—Funds collected under a program carried out by an executive agency under section 3561(c) of this title shall be available to the executive agency for the following purposes:

(1) To reimburse the actual expenses incurred in carrying out the program in the administration of the program.

(2) To pay contractors for services under the program in accordance with the guidance issued under section 3561(c)(5) of this title.

(b) FUNDS NOT USED FOR PROGRAM.—Any amounts erroneously paid by an executive agency that are recovered under such a program of an executive agency and are not used to reimburse expenses or pay contractors under subsection (a) shall be credited to the appropriations from which the erroneous payments were made, shall be merged with other amounts in those appropriations, and shall be available for the purposes for which such appropriations are available; or

(2) If no such appropriation remains available, shall be deposited in the Treasury as miscellaneous receipts.

(c) PRIORITY OF OTHER AUTHORIZED DISPOSITIONS.—Notwithstanding subsection (b), the authority under such subsection may not be exercised to the extent that any other provision of law requires or authorizes the crediting of such funds to the revolving fund, working-capital fund, trust fund, or other fund or account.
§3563. Sources of recovery services

(a) CONSIDERATION OF AVAILABLE RECOVERY RESOURCES.—(1) In carrying out a program under section 3561 of this title, the head of an executive agency shall consider all resources available to that official to carry out the program.

(2) The resources considered by the head of an executive agency for carrying out the program shall include the resources available to the executive agency for such purpose from the following sources:

(A) Other executive agencies.

(B) Other departments and agencies of the United States.

(C) Private sector sources.

(b) COMPLIANCE WITH APPLICABLE LAW AND REGULATIONS.—Before entering into a contract with a private sector source for the performance of services under a program of the executive agency carried out under section 3561 of this title, the head of an executive agency shall comply with—

(1) any otherwise applicable provisions of Office of Management and Budget Circular A–76; and

(2) any other applicable provision of law or regulation with respect to the selection between employees of the United States and private sector sources for the performance of services.

§3564. Management improvement programs

In accordance with guidance provided by the Director of the Office of Management and Budget under section 3561 of this title, the head of an executive agency required to carry out a program under such section 3561 may carry out a program for improving management processes within the executive agency—

(1) to address problems that contribute directly to the occurrence of errors in the paying of claims or in the management processes of the executive agency; or

(2) to improve the recovery of overpayments due to the agency.

§3565. Relationship to authority of inspectors general

Nothing in this subchapter shall be construed as impairing the authority of an Inspector General under the Inspector General Act of 1978 or any other provision of law.

§3566. Privacy protections

Any nonproven governmental entity, that in the course of recovery auditing or recovery activity under this subchapter, obtains information that identifies an individual or with respect to which there is a reasonable basis to believe that the information can be used to identify an individual, may not disclose the information for any purpose other than recovery auditing or recovery activity and for any improvement management processes within the executive agency, unless disclosure for that other purpose is authorized by the individual to the executive agency that contracted for the performance of the recovery auditing or recovery activity.

§3567. Definition of executive agency

Notwithstanding section 102 of this title, in this subchapter, the term ‘executive agency’ has the meaning given that term in section 41(1) of the Office of Federal Procurement Policy Act (41 U.S.C. 403(1)).

(2) The table of sections at the beginning of chapter V of this subchapter is amended by adding at the end the following:

"SUBCHAPTER VI—RECOVERY AUDITS"

§3561. Identification of errors made by executive agencies in payments to contractors and recovery of amounts erroneously paid.

§3562. Disposition of recovered funds.

§3563. Sources of recovery services.

§3564. Management improvement programs.

§3565. Relationship to authority of inspectors general.

§3566. Privacy protections.

§3567. Identification of errors made by executive agencies.

(b) REPORTS.—(1) Not later than 30 months after the date of the enactment of this Act, and annually for each of the first two years following the year of the first report, the Director of the Office of Management and Budget shall submit to the Committee on Government Reform of the House of Representatives and the Committee on Governmental Affairs of the Senate, a report on the implementation of subchapter VI of chapter 35 of title 31, United States Code (as added by subsection (a)).

(2) Each report shall include—

(A) a general description and evaluation of the steps taken by the heads of executive agencies to carry out the programs under such subchapter, including any management improvement programs carried out under section 3564 of such title.

(B) the costs incurred by executive agencies to carry out the programs under such subchapter;

and

(C) the amounts recovered under the programs under such subchapter.

§3561. Identification of errors made by executive agencies

(1) Procurements outside the United States shall include the resources available to the executive agency and governmental oversight of such government complies, where applicable, with the requirements of section 36 of the Arms Export Control Act (22 U.S.C. 2776) and with section 2547 of this title.

(b) COMPLIANCE WITH APPLICABLE LAW AND REGULATIONS.—Before entering into a contract with a private sector source for the performance of services under a program of the executive agency carried out under section 3561 of this title, the head of an executive agency shall comply with—

(1) any otherwise applicable provisions of Office of Management and Budget Circular A–76; and

(2) any other applicable provision of law or regulation with respect to the selection between employees of the United States and private sector sources for the performance of services.

§3564. Management improvement programs

In accordance with guidance provided by the Director of the Office of Management and Budget under section 3561 of this title, the head of an executive agency required to carry out a program under such section 3561 may carry out a program for improving management processes within the executive agency—

(1) to address problems that contribute directly to the occurrence of errors in the paying of claims or in the management processes of the executive agency; or

(2) to improve the recovery of overpayments due to the agency.

§3565. Relationship to authority of inspectors general

Nothing in this subchapter shall be construed as impairing the authority of an Inspector General under the Inspector General Act of 1978 or any other provision of law.

§3566. Privacy protections

Any nonproven governmental entity, that in the course of recovery auditing or recovery activity under this subchapter, obtains information that identifies an individual or with respect to which there is a reasonable basis to believe that the information can be used to identify an individual, may not disclose the information for any purpose other than recovery auditing or recovery activity and for any improvement management oversight of such activity, unless disclosure for that other purpose is authorized by the individual to the executive agency that contracted for the performance of the recovery auditing or recovery activity.

§3567. Definition of executive agency

Notwithstanding section 102 of this title, in this subchapter, the term ‘executive agency’ has the meaning given that term in section 41(1) of the Office of Federal Procurement Policy Act (41 U.S.C. 403(1)).

(2) The table of sections at the beginning of chapter V of such chapter is amended by inserting after section 2533 the following new section:

"§2533a. Requirement to buy certain articles from American sources; exceptions

(a) REQUIREMENT.—Except as provided in subsections (c) through (h), funds appropriated or otherwise available to the Department of Defense or such other department or agency, as the case may be, shall be used for the procurement of an item described in subsection (b) if the item is not grown, reprocessed, reused, or produced in the United States.

(b) COVERED ITEMS.—An item referred to in subsection (a) is any of the following:

(1) An article or item of—

(A) food;

(B) clothing;

(C) tents, tarpaulins, or covers;

(D) cotton and other natural fiber products, woven silk or woven silk blends, spun silk yarn for cartridge cloth, synthetic fabric or coated synthetic fabric (including all textile fibers and yarns that are for use in such fabrics), canvas products, or wool (whether in the form of fiber or yarn or in fabric, materials, or manufactured articles); or

(2) any item of individual equipment manufactured from or containing such fibers, yarns, fabrics, or materials.

(2) Specialty metals, including stainless steel flatware.

(3) Hand or measuring tools.

(c) AVAILABILITY EXCEPTION.—Subsection (a) does not apply to the extent that the Secretary of Defense or the Secretary of the military department concerned determines that satisfactory quality and sufficient quantity of any such article or item described in subsection (b)(1) or specialty metals (including stainless steel flatware) grown, reprocessed, reused, or produced in the United States cannot be procured as and when needed at United States market prices.

(d) EXCEPTION FOR CERTAIN PROCUREMENTS OUTSIDE THE UNITED STATES.—Subsection (a) does not apply to the following:

(1) Procurements for the United States in support of combat operations.

(2) Procurements by vessels in foreign waters.

(3) Emergency procurements or procurements of perishable foods by an establishment located outside the United States for the personnel attached to such establishment.

(e) EXCEPTION FOR SPECIALTY METALS AND CHEMICAL WARFARE PROTECTIVE CLOTHING.—Subsection (a) does not preclude the procurement of specialty metals or chemical warfare protective clothing produced outside the United States if—

(1) such procurement is necessary—

(A) to comply with agreements with foreign governments requiring the United States to purchase supplies from foreign sources for the purposes of offsetting sales of United States Government or United States firms under approved programs serving defense requirements; or

(2) any such agreement with a foreign government complies with the requirements of section 36 of the Arms Export Control Act (22 U.S.C. 2776) and with section 2457 of this title.

(f) EXCEPTION FOR CERTAIN FOODS.—Subsection (a) does not preclude the procurement of foods manufactured or processed in the United States.

(g) EXCEPTION FOR COMMISSARIES, EXCHANGES, AND OTHER NONAPPROPRIATED FUND INSTRUMENTALITIES.—Subsection (a) does not apply to items purchased for resale purposes in commissaries, exchanges, or nonappropriated fund instrumentalities operated by the Department of Defense.

(h) EXCEPTION FOR SMALL PURCHASES.—Subsection (a) does not apply to procurements for amounts not greater than the simplified acquisition threshold referred to in section 2304(g) of this title.

(i) APPLICABILITY TO CONTRACTS AND SUBCONTRACTS FOR PROCUREMENT OF COMMERCIAL ITEMS.—This section is applicable to contracts and subcontracts for the procurement of commercial items notwithstanding section 34 of the Office of Federal Procurement Policy Act (41 U.S.C. 430).

(j) GEOGRAPHIC COVERAGE.—In this section, the term ‘United States’ includes the possessions of the United States.

(2) The table of sections at the beginning of subchapter V of such chapter is amended by inserting after the item relating to section 2533 the following new item:

"§2533a. Requirement to buy certain articles from American sources; exceptions.

(b) REPEAL OF SOURCE PROVISIONS.—The following provisions of law are repealed:


(2) Section 8109 of the Department of Defense Appropriations Act, 1997 (as contained in section 101(b) of Public Law 104-208; Stat. 3009–3009).

SEC. 832. PERSONAL SERVICES CONTRACTS TO BE PERFORMED BY INDIVIDUALS OR ORGANIZATIONS ABROAD

Section 2 of the State Department Basic Authorities Act of 1956 (22 U.S.C. 2609) is amended by adding at the end the following:

"(n) exercise the authority provided in subsection (c), upon the request of the Secretary of Defense or the head of any other department or agency of the United States, to enter into personal service contracts with individuals to perform services in support of combat operations of the United States Government or such other department or agency, as the case may be;"

SEC. 834. REQUIREMENTS REGARDING INSENSITIVE MUNITIONS

(a) REQUIREMENT TO ENSURE SAFETY.—(1) Chapter 141 of title 10, United States Code, is amended by inserting after section 2386 the following new section:

"§2389. Ensuring safety regarding insensitive munitions

The Secretary of Defense shall ensure, to the extent practicable, that insensitive munitions development or procurement are safe throughout development and testing when subject to unplanned stimuli."
(2) The table of sections at the beginning of such chapter is amended by inserting after the item relating to section 2388 the following new item:

2389. Ensuring safety regarding insensitive munitions.

(b) **REPORT REQUIREMENT.—At the same time that the budgets for fiscal years 2003 through 2005 are submitted to Congress under section 1105(a)(1) of United States Code, the Secretary of Defense shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report on insensitive munitions.**

(1) **The number of waivers granted pursuant to Department of Defense Regulation 5000.2-R (June 2001) during the preceding fiscal year, together with a discussion of the justifications for the waivers.**

(2) Identification of the funding proposed for insensitive munitions in the budget with which the report is submitted, together with an explanation of the proposed funding.

SEC. 835. **INAPPLICABILITY OF LIMITATION TO SMALL PURCHASES OF MINIATURE OR INSTRUMENT BALL OR ROLLER BEARINGS UNDER CERTAIN CIRCUMSTANCES.**

(a) **IN GENERAL.—**Section 2534 of title 10, United States Code, is amended by adding at the end of the following new subsection:

(1) **APPLICABILITY TO CERTAIN CONTRACTS TO PURCHASE BALL BEARINGS OR ROLLER BEARINGS.—**This section does not apply with respect to a contract or subcontract to purchase items described in subsection (a)(5) (related to ball bearings and roller bearings) for which—

(A) the amount of the purchase does not exceed $2,500;

(B) the precision level of the ball or roller bearings to be procured under the contract or subcontract is rated lower than the rating known as Annual Bearing Engineering Committee (ABEC) 5 or Roller Bearing Engineering Committee (RBEC) 5, or an equivalent of such rating;

(C) at least two manufacturers in the national or international industrial base that are capable of producing the ball or roller bearings have not responded to a request for quotation issued by the contracting activity for that contract or subcontract; and

(D) no bearing to be procured under the contract or subcontract has a basic outside diameter (exclusive of flange diameters) in excess of 30 millimeters.

(2) Paragraph (1) does not apply to a purchase if such purchase would result in the total amount spent on ball bearings and roller bearings to satisfy requirements under Department of Defense contracts, using the authority provided in such paragraph, to exceed $200,000 during the fiscal year of such purchase.

(b) **APPLICABILITY.—**Subsection (a) of such section 2534 (as added by subsection (a)) shall apply with respect to a contract or subcontract to purchase ball or roller bearings entered into after the date of the enactment of this Act.

SEC. 836. **TEMPORARY EMERGENCY PROCUREMENT AUTHORITY TO FACILITATE THE DEFENSE AGAINST TERRORISM OR BIOLOGICAL OR CHEMICAL ATTACKS.**

(a) **INCREASED FLEXIBILITY FOR USE OF STREAMLINED PROCEDURES.—**The following special authorities apply to procurements of property and services for use (as determined by the Secretary of Defense) to facilitate the defense against terrorism or biological or chemical attacks of the United States:

(1) **Micropurchase and simplified acquisition procedures.—**For any procurement of property or services for use (as determined by the Secretary of Defense) to facilitate the defense against terrorism or biological or chemical attacks of the United States—

(A) the amount specified in subsections (c), (d), and (f) of section 32 of the Office of Federal Procurement Policy Act (41 U.S.C. 428) shall be deemed to be $15,000 in the administration of that section with respect to such procurement; and

(B) the term ‘‘simplified acquisition threshold’’ means, in the case of any contract to be awarded and performed, or purchase to be made—

(i) inside the United States in support of a contingency operation, $250,000; or

(ii) outside the United States in support of a contingency operation, $500,000.

(2) **COMMERCIAL ITEM TREATMENT FOR PRODUCTIONS OF BIOTECHNOLOGY.—**For any procurement of biotechnology property or biotechnology service (as determined by the Secretary of Defense) to facilitate the defense against terrorism or biological attack against the United States, the procurement shall be treated as being a procurement of commercial items.

(b) **RECOMMENDATIONS FOR ADDITIONAL EMERGENCY PROCUREMENT AUTHORITY TO SUPPORT ANTI-TERRORISM OPERATIONS.—**Not later than March 1, 2002, the Secretary of Defense shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report containing the Secretary’s recommendations for additional emergency procurement authority that the Secretary (subject to the direction of the President) determines necessary to support operations carried out to combat terrorism.

(c) **TERMINATION OF AUTHORITY.—**No contract may be entered into under the authority provided in subsection (a) after September 30, 2003.

TITLE IX—DEPARTMENT OF DEFENSE ORGANIZATION AND MANAGEMENT

Subtitle A—Duties and Functions of Department of Defense Officers

Sec. 901. Deputy Under Secretary of Defense for Personnel and Readiness.

Sec. 902. Secretary of Defense for Personnel and Readiness.

Sec. 903. Suspension of reorganization of engineering and technical authority within the Naval Sea Systems Command pending report to congressional committees.

Subtitle B—Space Activities

Sec. 911. Joint management of space programs.

Sec. 912. Requirement to establish in the Air Force an officer career field for space activities.

Sec. 913. Secretary of Defense report on space activities.

Sec. 914. Comprehensive General assessment of implementation of recommendations of Space Commission.

Sec. 915. Sense of Congress regarding officers recommended to be appointed to serve as Commander of United States Space Command.

Subtitle C—Reports

Sec. 921. Revised requirement for Chairman of the Joint Chiefs of Staff to advise Secretary of Defense on the assignment of roles and missions to the Armed Forces.

Sec. 922. Revised requirement for content of annual report on joint warfighting experimentation.

Sec. 923. Repeal of requirement for one of three remaining required reports on activities of Joint Requirements Oversight Council.

Sec. 924. Revised joint report on establishment of national collaborative information analysis capability.

Subtitle D—Other Matters

Sec. 931. Conforming amendments relating to Department of Defense.

Sec. 932. Organizational realignment for Navy Director for Expeditionary Warfare.

Subtitle E—DEPUTY UNDER SECRETARY OF DEFENSE FOR PERSONNEL AND READINESS

(a) **ESTABLISHMENT OF POSITION.—**Chapter 10 of title 10, United States Code, is amended by inserting after section 136 the following new section:

‘‘§136a. Deputy Under Secretary of Defense for Personnel and Readiness.’’

(b) **EXECUTIVE LEVEL IV.—**Section 5315 of title 5, United States Code, is amended by inserting after ‘‘Deputy Under Secretary of Defense for Policy,’’ the following:

‘‘Deputy Under Secretary of Defense for Personnel and Readiness.’’

(c) **REDUCTION IN NUMBER OF ASSISTANT SECRETARIES OF DEFENSE.—**Section 876(a)(10) of title 10, United States Code, is amended by striking ‘‘nine’’ and inserting ‘‘eight’’.

(d) **EFFECTIVE DATE.—**The amendments made by subsection (c) shall take effect on the date on which a person is first appointed as Deputy Under Secretary of Defense for Personnel and Readiness.

Sec. 901. **DEPUTY UNDER SECRETARY OF DEFENSE FOR PERSONNEL AND READINESS.**

(a) **ESTABLISHMENT OF POSITION.** There is a Deputy Under Secretary of Defense for Personnel and Readiness, appointed from civilian life by the President, by and with the advice and consent of the Senate.

(b) The Deputy Under Secretary of Defense for Personnel and Readiness shall assist the Under Secretary of Defense for Personnel and Readiness in the performance of the duties of that position. The Deputy Under Secretary of Defense for Personnel and Readiness shall act for, and exercise the powers of, the Under Secretary when the Under Secretary is absent or disabled.

Sec. 902. **SENSE OF CONGRESS ON FUNCTIONS OF NEW OFFICE OF FORCE TRANSFORMATION IN THE OFFICE OF THE SECRETARY OF DEFENSE.**

(a) **FINDINGS.—**Congress finds the following:

(1) The Armed Forces should give careful consideration to implementing transformation to meet operational challenges and exploit opportunities resulting from changes in the threat environment and the emergence of new technologies.

(2) The Department of Defense 2001 Quadrennial Defense Review Report, issued by the Secretary of Defense on September 30, 2001, states that the purpose of transformation is to maintain or improve U.S. military preeminence in the face of potential disproportionate discontinuous changes in the strategic environment. Transformation must therefore be focused on emerging strategic and operational challenges and the opportunities created by these challenges.

(3) That report further states that ‘‘To support the transformation effort, and to foster innovation and experimentation, the Department will establish a new office reporting directly to the Secretary and Deputy Secretary of Defense.’’

(b) **SENSE OF CONGRESS ON FUNCTIONS OF OFFICE OF FORCE TRANSFORMATION.** It is the sense of Congress that the Director of the Office of Force Transformation within the Office of the Secretary of Defense should advise the Secretary over—

(1) development of force transformation strategies to ensure that the military of the future is...
prepared to dissuade potential military competitors and, if that fails, to fight and win decisively across the spectrum of future conflict; (2) ensuring a continuous and broadly focused transformation program; (3) service and joint acquisition and experimentation efforts, funding for experimentation efforts, and implementation of concepts, technologies, and other transformation activities, as appropriate; and (4) development of service and joint operational concepts, transformation implementation strategies, and risk management strategies.

(c) SENSE OF CONGRESS ON FUNDING.—It is the sense of Congress that the Secretary of Defense should consider not providing funding adequate for sponsoring selective prototyping efforts, war games, and studies and analyses and for appropriate staffing, as recommended by the Director of the Office of Force Transformation referred to in subsection (b).

SEC. 903. SUSPENSION OF REORGANIZATION OF ENGINEERING AND TECHNICAL AUTHORITY POLICY WITHIN THE NAVAL SEA SYSTEMS COMMAND PENDING REPORT TO CONGRESSIONAL COMMITTEES.

(a) SUSPENSION OF REORGANIZATION.—During the period specified in subsection (b), the Secretary of the Navy may not grant final approval for any reorganization in engineering or technical authority policy for the Naval Sea Systems Command or any of the subsidiary activities of that command.

(b) REPORT.—Subsection (a) applies during the period beginning on the date of the enactment of this chapter and ending 45 days after the date on which the Secretary submits to the congressional defense committees a report that sets forth in detail the Navy’s plans and justification for the reorganization of engineering and technical authority policy within the Naval Sea Systems Command.

Subtitle B—Space Activities

SEC. 911. JOINT MANAGEMENT OF SPACE PROGRAMS.

(a) IN GENERAL.—Part IV of title 10, United States Code, is amended by inserting after chapter 134 the following new chapter:

“CHAPTER 135—SPACE PROGRAMS

“Sec. 2271. Management of space programs: joint program offices and officer management programs

“(a) JOINT PROGRAM OFFICES.—The Secretary of Defense shall designate those positions in the Office of the National Security Space Architect of the Department of Defense (or any successor office) that qualify as joint duty assignment positions for purposes of chapter 31 of this title.

“(b) OFFICER MANAGEMENT PROGRAMS.—(1) The Secretary of Defense shall take appropriate actions to ensure, to the maximum extent practicable, that space development and acquisition programs of the Department of Defense are carried out through joint program offices.

“(2) The Secretary of Defense shall designate those positions in the Office of the National Security Space Architect of the Department of Defense (or any successor office) that qualify as joint duty assignment positions for purposes of chapter 31 of this title.

“SEC. 912. REQUIREMENT TO ESTABLISH IN THE AIR FORCE AN OFFICER FIELD FOR SPACE.

(a) IN GENERAL.—The chapter 807 of title 10, United States Code, is amended by adding at the end the following new section:

“§8084. Officer career field for space.

“The Secretary of the Air Force shall establish and implement policies and procedures to develop a career field for officers of the Air Force with technical competence in space-related matters to have the capability to—

(1) develop space doctrine and concepts of space operations;

(2) defend space systems; and

(3) operate space systems.”.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter is amended by adding at the end the following new item:

“§8084. Officer career field for space.”

SEC. 913. SECRETARY OF DEFENSE REPORT ON SPACE ACTIVITIES.

(a) REPORT.—(1) Not later than March 15, 2002, the Secretary of Defense shall submit to the Committee on Armed Services of the Senate and the Committee on Armed Services of the House of Representatives a report that sets forth in detail the Navy’s plans and justification for the reorganization of engineering and technical authority policy within the Naval Sea Systems Command.

(b) MATTERS TO BE INCLUDED.—The report of the Secretary of Defense under subsection (a) shall include a description of, and rationale for, each of the following:

(1) Actions taken by the Secretary of Defense to realign management authorities and responsibilities for space programs of the Department of Defense.

(2) Steps taken to—

(A) establish a career field for officers in the Air Force with technical competence in space-related matters, in accordance with section 8084 of title 10, United States Code, as added by section 912;

(B) ensure that officers in that career field are treated fairly and objectively within the overall Air Force officer personnel system; and

(C) ensure that the primary responsibility for management of that career field is assigned appropriately.

(3) Other steps taken within the Air Force to ensure proper priority for development of space systems.

(4) Steps taken to ensure that the interests of the Army, the Navy, and the Marine Corps in space development, acquisition, and operations in the space domain are coordinated across the services.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter is amended by adding at the end the following new item:

“§914. Comptroller General assessment with respect to 2001 QDR.—With respect to the 2001 Quadrennial Defense Review, the Chairman of the Joint Chiefs of Staff shall consider (among others) the following:

(A) The assessment of the Chairman’s assessment of the assignment of functions (or roles and missions) of the Armed Forces in accordance with applicable to the Department of Defense.

(B) Changes in technology that can be applied effectively to warfare.”.

(b) REPEAL OF REQUIREMENT FOR TRIENNIAL REPORT ON ASSIGNMENT OF ROLES AND MISSIONS TO THE ARMED FORCES.

SEC. 915. SENSE OF CONGRESS REGARDING OFFICERS DESIGNATED TO SERVE AS COMMANDER OF UNITED STATES SPACE COMMAND.

It is the sense of Congress that the position of commander of the United States Space Command, a position of importance and responsibility designated by the President under section 601 of title 10, United States Code, to carry the grade of general or admiral and covered by section 604 of that title, relating to recommendations by the Secretary of Defense for appointment of officers to certain four-star joint officer positions, should be filled by the best qualified officer of the Army, Navy, Air Force, or Marine Corps, rather than by the corps assigned to the armed force that has traditionally provided officers for that position.
paragrap 2 of section 118(e) of title 10, United States Code, as added by subsection (a)(3). Such assessment shall be based on the findings in the 2001 Quadrennial Defense Review, issued by the Secretary of Defense on September 30, 2001, and shall be submitted to Congress not later than one year after the date of the enactment of this Act.

SEC. 922. REVISED REQUIREMENTS FOR CONTENT OF ANNUAL REPORT ON JOINT WARRIERTING EXPERIMENTATION.

Section 485(b) of title 10, United States Code, is amended—

(1) in paragraph (4)(E)—

(A) by inserting “by lease or by purchase” after “acquire”; and

(B) by inserting “including any prototype” after “or equipment”; and

(2) by adding at the end the following new paragraph:

“It is amended by inserting “flying semiannual report” in the section heading and inserting “REPORTS REQUIRED”; and

(B) by inserting “five semiannual” and “three subsections” in such paragraph.

SEC. 923. REPEAL OF REQUIREMENT FOR ONE OF THREE REMAINING REQUIRED REPORTS ON ACTIVITIES OF JOINT REQUIREMENTS OVERSIGHT COUNCIL.


(2) CONGRESSIONAL INTELLIGENCE COMMITTEE.—The term “congressional intelligence committees” means the Select Committee on Intelligence of the Senate and the Permanent Select Committee on Intelligence of the House of Representatives.

Subtitle D—Other Matters

SEC. 931. CONFORMING AMENDMENTS RELATING TO CHANGE OF NAME OF MILITARY AIRLIFT COMMAND TO AIR MOBILITY COMMAND.

(a) CURRENT REFERENCES IN TITLE 10, UNITED STATES CODE.—Section 2554(d) of title 10, United States Code, is amended—

(4) C ONGRES SIONAL INTELLIGENCE COMMIT -

(1) in the section heading, by striking “SEMI-

(1) in paragraph (4)(E)—

(A) by striking “by lease or by purchase” after “acquire”; and

(B) by inserting “including any prototype” after “or equipment”; and

(2) by adding at the end the following new paragraph:

’TITL E X—GENERAL PROVISIONS

Subtitle A—Department of Defense Civilian Personnel

Sec. 1001. Transfer authority.

Sec. 1002. Incorporation of classified annex.


Sec. 1004. United States contribution to NATO common-funded programs in fiscal year 2002.

Sec. 1005. Limitation on funds for Bosnia and Kosovo peacekeeping operations for fiscal year 2002.

Sec. 1006. Maximum amount for National Foreign Intelligence Program.

Sec. 1007. Clarification of applicability of interest penalties for late payment of interim payments due under contracts for services.

Sec. 1008. Relocation of Department of Defense financial statements.

Sec. 1009. Financial Management Modernization Executive Committee and financial feeder systems compliance process.

Sec. 1010. Authorization of funds for ballistic missile defense programs or combating weapons of mass destruction operations of the Department of Defense.

Subtitle B—Naval Vessels and Shipyards

Sec. 1011. Authority to transfer naval vessels to certain foreign countries.

Sec. 1012. Sale of Glomer Explorer to the Japanese

Sec. 1013. Leasing of Navy ships for university national oceanographic laboratory systems.

Subtitle C—Counter-Drug Activities

Sec. 1021. Extension and restatement of authority to provide Department of Defense support to counter-drug activities of other governmental agencies.

Sec. 1022. Extension of reporting requirement regarding Department of Defense expenditures to support foreign counter-drug activities.

Sec. 1023. Authority to transfer Tracker aircraft currently used by Armed Forces for counter-drug purposes.

Sec. 1024. Limitation on use of funds for operation of Tethered Aerostat Radar System pending submission of required report.

Subtitle D—Strategic Forces

Sec. 1031. Repeal of limitation on retirement or dismantlement of strategic nuclear delivery systems.

Sec. 1032. Air Force bomber force structure.

Sec. 1033. Additional element for revised nuclear enterprise.

Sec. 1034. Report on options for modernization and enhancement of missile wing helicopter support.

Subtitle E—Other Department of Defense Provisions

Sec. 1041. Secretary of Defense recommendation on need for Department of Defense review of proposed Federal agency actions to consider possible impact on national defense.

Sec. 1042. Department of Defense reports to Congress to be accompanied by electronic version.

Sec. 1043. Department of Defense gift authorities.

Sec. 1044. Acceleration of research, development, and production of medical countermeasures for defense against biological warfare agents.

Sec. 1045. Chemical and biological protective equipment for military personnel and civilian employees of the Department of Defense.


Sec. 1047. Report on procedures and guidelines for embarkation of civilian guests on naval vessels for public affairs purposes.

Sec. 1048. Technical and clerical amendments.

Sec. 1049. Termination of referendum requirement concerning continuation of military training on island of Vieques, Puerto Rico, and imposition of additional conditions on lease of that island.

Subtitle F—Other Matters

Sec. 1051. Assistance for firefighters.

Sec. 1052. Extension of times for Commission on the Future of the United States Aerospace Industry to report and to terminate.

Sec. 1053. Appropriations to Radiation Exposure Compensation Trust Fund.

Sec. 1054. Waiver of vehicle weight limits during periods of national emergency.

Sec. 1055. Repair, restoration, and preservation of Lafayette Escadrille Memorial, Marnes-la-Coquette, France.

Subtitle A—Financial Matters

Sec. 1001. TRANSFER AUTHORITY.

(a) AUTHORITY TO TRANSFER AUTHORIZATIONS.— (1) Upon determination by the Secretary of Defense that such event is necessary in the national interest, the Secretary may transfer amounts of authorizations made available to the Department of Defense in this division for fiscal year 2002 between any such authorizations for that fiscal year (or any subdivisions thereof).

(b) LIMITATIONS.—The authority provided by this section to transfer authorizations—
H9390
CONGRESSIONAL RECORD—HOUSE
December 12, 2001

(1) only may be used to provide authority for
items that have a higher priority than the items
from which authority is transferred; and
(2) may not be used to provide authority for
an item that has been denied authority by Congress.
(c) EFFECT ON AUTHORIZATION AMOUNTS.—A
transfer made from one account to another under
this section is deemed to increase the amount authorized
for the account to which the amount is transferred
by an amount equal to the amount transferred.
(d) NOTICE TO CONGRESS.—The Secretary shall promptly notify Congress of each transfer made under subsection (a).
SEC. 1002. [H1002]. INCORPORATION OF CLASSIFIED ANNEX.
(a) STATUS OF CLASSIFIED ANNEX.—The Classi-

dified Annex prepared by the committee of con-

cference to accompany the conference report on

the bill S. 1438 of the One Hundred Seventh

Congress and transmitted to the President is hereby incorporated into this Act.
(b) CONSTRUCTION WITH OTHER PROVISIONS OF

ACT.—The amounts specified in the Classified
Annex are not in addition to amounts author-
ized to be appropriated by other provisions of this Act.
(c) LIMITATION ON USE OF FUNDS.—Funds ap-

propriated pursuant to an authorization con-

tained in this Act that are made available for a program,

project, or activity in the Classified
Annex only may be expended for such

program, project, or activity in accordance

with such terms, conditions, limitations, restrictions,

and procedures described in the program,

project, or activity in the Classified
Annex.
(d) DISTRIBUTION OF CLASSIFIED ANNEX.—The

President shall provide for appropriate distribu-

tion of the Classified Annex, or of appropriate

portions of the annex, within the executive

branch of the Government.
SEC. 1003. AUTHORIZATION OF SUPPLEMENTAL

APPROPRIATIONS FOR FISCAL YEAR 2001.
Amounts authorized to be appropriated to the

Department of Defense for fiscal year 2001 in the

Floyd D. Spence National Defense Authoriza-

tion Act for Fiscal Year 2001 (as enacted into law by Public Law 106–357) are hereby adjusted,
with respect to any such authorized amount, by
the amount by which appropriations pursuant
to such authorization were increased (by a sup-
plemental appropriation) or decreased
(b) or reduced (by a re-

cession), or both, in title I of the Supplemental

SEC. 1004. UNITED STATES CONTRIBUTION TO

NATO'S COMMON-FUNDED BUDGETS IN FISCAL YEAR 2002.
(a) FISCAL YEAR 2002 LIMITATION.—The total

amount contributed by the Secretary of Defense in fiscal year 2002 for the common-funded budg-

ets of NATO may be any amount up to, but not

in excess of, the amount specified in subsection (b)

(rather than the maximum amount that

would otherwise be applicable to those contribu-

tions under the fiscal year 1998 baseline limita-


tions).
(b) TOTAL AMOUNT.—The amount of the limita-

tion provided under subsection (a) is the sum of

the following:

(1) The amounts of unexpended balances, as of the end of fiscal year 2001, of funds appropri-

ated for NATO in any law making supplemental
appropriations for fiscal year 2002 and before fiscal year 2002 for payments for those budgets.
(2) The amount specified in subsection (c)(1).
(3) The amount specified in subsection (c)(2).
(4) The total amount of the contributions au-

thorized to be made under section 2501.
(c) AUTHORIZED AMOUNTS.—Amounts author-

ized to be appropriated by titles II and III of this Act are available for contributions for the

common-funded budgets of NATO as follows:

(1) Of the amount provided in section 201(1), $708,800,000 for the Military Budget.
(2) Of the amount provided in section 301(a)(1), $175,849,000 for the Military Budget.
(d) DEFINITIONS.—For purposes of this sec-

section:

(1) COMMON-FUNDED BUDGETS OF NATO.—The term "common-funded budgets of NATO" means the Military Budget, the National Foreign Intelligence Program, and the Civil Budget of the North At-

antic Treaty Organization (and any successor or additional account or program of NATO).
(2) AUTHORIZED AMOUNT.—The term "fiscal year 1998 baseline limitation" means the maximum annual amount of Depart-

ment of Defense contributions for common-funded budgets of NATO for fiscal year 1998.
SEC. 1005. LIMITATION ON FUNDS FOR BOSNIA
AND KOSOVO PEACEKEEPING OPER-

ATIONS FOR FISCAL YEAR 2002.
(a) LIMITATION.—Of the amounts authorized to be appropriated by section 301(a)(24) for the Overseas Contingency Operations Transfer Fund

(1) no more than $1,315,600,000 may be obli-


gated for incremental costs of the Armed Forces for Bosnia peacekeeping operations; and

(2) no more than $75,000,000 may be obli-


gated for incremental costs of the Armed Forces for Kosovo peacekeeping operations.
(b) PRESIDENTIAL WAIVER.—The President

may waive the limitation in section (a)(1), or the limitation in subsection (a)(2), after sub-

mitting to Congress the following:

(1) The President's written certification that

the waiver is necessary in the national security interests of the United States.

(2) The President's written certification that

exercising the waiver will not adversely affect

the readiness of United States military forces.
(3) A report setting forth the following:

(A) The reasons that the waiver is necessary in the national security interests of the United States.

(B) The specific reasons that additional fund-

ings is required for the continued presence of United States military forces participating in, or supporting, Bosnia peacekeeping operations, or Kosovo peacekeeping operations, as the case

may be, for fiscal year 2002.

(C) A discussion of the impact on the military readiness of United States Armed Forces of the continuing deployment of United States military forces participating in, or supporting, Bosnia peacekeeping operations, or Kosovo peacekeeping operations, as the case may be.

(D) A supplemental appropriations request for

the Department of Defense for such amounts as are necessary for the additional fiscal year 2002 costs

associated with United States military forces participating in, or supporting, Bosnia or Kosovo peacekeeping

operations.

(c) PEACEKEEPING OPERATIONS DEFINED.—For

the purposes of this section:

(1) The term "Bosnia peacekeeping opera-

tions" has the same meaning as in section 1004(e) of the Strom Thurmond National Defense Authorization Act for Fiscal Year 1999 (Public Law 106–281; 112 Stat. 2121).

(2) The term "Kosovo peacekeeping opera-

tions"—

(A) means the operation designated as Oper-

ation Joint Guardian and any other operation involving the participation of any of the Armed Forces in peacekeeping or peace enforcement ac-

tivities in and around Kosovo; and

(B) includes, with respect to Operation Joint Guardian or any such other operation, each ac-

tivity that is directly related to the support of

the operation.

SEC. 1006. MAXIMUM AMOUNT FOR NATIONAL

FOREIGN INTELLIGENCE PROGRAM.
The total amount authorized to be appro-

priated for the National Foreign Intelligence Program for fiscal year 2002 is the sum of the following:

(1) The total amount set forth for the National

Foreign Intelligence Program for fiscal year 2002 in any law making supplemental appropriations for fiscal year 2002 and before fiscal year 2002 and in any supplemental appropriation request for fiscal year 2002 transmitted by the President on June 27, 2001, and printed as House Document 107–92, captioned "Communication of the President of the United States Regarding the National Foreign Intelligence Office Fiscal Year 2002 Budget Amendments for the Depart-

ment of Defense";

(2) The total amount, if any, appropriated for

the National Foreign Intelligence Program for fiscal year 2002 pursuant to the 2001 Emergency Supplemental Appropriations Act for Recovery from Hurricane Response to the September 11, 2001 Terrorist attacks on the United States (Public Law 107–34; 115 Stat. 230

, 221).
(3) The total amount, if any, appropriated for

the National Foreign Intelligence Program for fiscal year 2002 in any law making supplemental appropriations for fiscal year 2002 that is en-

acted during the second session of the 107th

United States Congress.
SEC. 1007. CLARIFICATION OF APPLICABILITY OF

INTEREST PENALTIES FOR LATE PAYMENT OF INTERIM PAYMENTS DUE UNDER CONTRACTS FOR SER-

VICES.
(1) Payment of any interim payment due under a contract made under a law making supplemental appropriations for the Department of Defense, including the National Foreign Intelligence Program for fiscal year 2002, shall be subject to subsection (f) of this Act, if the Secretary of Defense shall submit to the recipients specified in paragraph (2) of the report of the conference committee of the House and Senate of the 107th United States Congress, and printed as House Document 107–92—

the annual report shall contain the following:

(A) A conclusion regarding whether the poli-

cies and procedures of the Department of De-

fense, and the systems used within the Depart-

ment of Defense, for the preparation of finan-

cial statements allow the preparation of reli-

ability in those financial statements.

(B) For each of the financial statements pre-

pared for the Department of Defense for the fis-


cal year in which the report is submitted, a con-

clusion regarding the expected reliability of the financial statement (evaluated on the basis of Office of Management and Budget guidance on financial statements), together with a discussion of the major deficiencies to be expected in the statement.

(C) A summary of the specific sections of the

annual Financial Management Improvement

Plan of the Department of Defense, current as of the date of the report, that—

describe the key milestones, and measures of success that apply to the preparation of the financial statements;

detail the planned improvements in the process for the preparation of financial statements

that are to be implemented within 12 months after the date on which the plan is

issued, and

provide an estimate of when each financial

statement will convey reliable information.
(3) The annual report shall be submitted to the

following:

(A) The Committee on Armed Services and the

Committee on Governmental Affairs of the Sen-

ate.

(B) The Committee on Armed Services and the

Committee on Government Reform of the House of

Representatives.
CONGRESSIONAL RECORD—HOUSE
December 12, 2001
H9391

(C) The Director of the Office of Management and Budget.

(D) The Secretary of the Treasury.

(E) The Comptroller General of the United States.

(4) The Secretary of Defense shall make a copy of the annual report available to the Inspector General of the Department of Defense.

(b) MINIMIZATION OF USE OF RESOURCES FOR UNRELIABLE FINANCIAL STATEMENTS.—(1) With respect to each financial statement for a fiscal year that is part of the Defense assurance that the financial statement is reliable, this subsection shall not apply with respect to that financial statement.

(2) An estimate of the amount expended in the fiscal year in which the plan is submitted to implement the annual financial management improvement plan in 2002.

(4) The Under Secretary of Defense for Acquisition, Technology, and Logistics.

(5) The General Counsel of the Department of Defense.


(a) By the Office of the Secretary, the Under Secretary of Defense (Comptroller), and the Assistant Secretary of each military department with responsibility for financial management and comptroller functions shall each provide to the auditors of the financial statement of that official’s department for the fiscal year ending during the preceding month that official’s preliminary management representation, in writing, regarding the expected reliability of the financial statement. The representation shall be consistent with guidance issued by the Director of the Office of Management and Budget and shall include the basis for the reliability assessment stated in the representation.

(d) LIMITATION ON INSPECTOR GENERAL AUDITS.—(1) On each financial statement that an official asserts is unreliable under subsection (b)(2), the Comptroller General of the United States shall, if the President determines that the auditors have reasonably determined that the financial statement is unreliable, provide to the auditors, in writing, a statement of the auditors’ findings.

(i) The Chief Financial Officer of the Department of Defense.

(ii) The Office shall have the following duties:

(1) To develop a management plan for the implementation of the financial and data feeder systems compliance process established pursuant to paragraph (1).

(2) To develop a management plan for the implementation of the financial and data feeder systems compliance process established pursuant to paragraph (1).

(2).management plan pursuant to paragraph (2), as approved by the Secretary of Defense.

(4) To ensure that a Department of Defense financial management improvement plan submitted to Congress was not implemented, a justification shall be submitted to Congress in the first session of the following new section.

185. Financial Management Modernization Executive Committee

(a) ESTABLISHMENT OF FINANCIAL MANAGEMENT MODERNIZATION EXECUTIVE COMMITTEE.

(1) The Secretary of Defense shall establish a Financial Management Modernization Executive Committee.

(2) The Committee shall be composed of the following:

(A) The Under Secretary of Defense (Comptroller), who shall be the chairman of the committee.

(B) The Under Secretary of Defense for Acquisition, Technology, and Logistics.

(C) The Under Secretary of the Army, the Secretary of the Navy, and the Secretary of the Air Force.

(3) The Committee shall be accountable to the Senior Executive Council (composed of the undersecretaries for policy, operations, research, and development, and the military departments) as are designated by the Secretary.

(4) To develop and implement a management plan for the implementation of allowable Federal financial management and reporting requirements.

(5) To ensure that a Department of Defense financial management improvement plan submitted in the fiscal year ending in the year in which the plan is submitted to implement the annual financial management improvement plan in 2002.

(6) To provide an annual accounting of each financial and data feeder system investment and the financial and data feeder systems compliance process established pursuant to paragraph (4).

(1) A requirement for the establishment and maintenance of a complete inventory of all budgetary, accounting, financial, and data feeder systems that support the transformation of the business processes of the Department and produce financial statements.

(2) A phased process (consisting of the successive phases of Awareness, Evaluation, Renovation, Validation, and Audit), or improvement systems referred to in paragraph (1) that provides for mapping financial data flow from the cognizant Department business function process (as part of the overall business process transformation strategy of the Department) to Department financial statements.

(3) Periodic audit of the Secretary of Defense, the Under Secretary of Defense, and the Senior Executive Council (or any combination thereof) of reports on the progress being made in achieving financial management transformation milestones and in the overall financial management improvement plan in 2002.

(4) Independent audit by the Inspector General of the Department of Defense, the audit agencies of the military departments and private sector firms that conduct validation audits (or any combination thereof) at the validation phase for each accounting, financial, and data feeder system.

(5) Independent audit by the Inspector General of the Department of Defense, the audit agencies of the military departments and private sector firms contracted to conduct validation audits (or any combination thereof) at the validation phase for each accounting, financial, and data feeder system.

(6) To provide an accounting of the amount expended in the fiscal year ending in the year in which the plan is submitted to implement the annual financial management improvement plan in 2002.

(7) To develop and implement a management plan for the implementation of the financial and data feeder systems compliance process established pursuant to paragraph (4).

(8) To supervise and monitor the actions that are necessary to carry out such management plan developed pursuant to paragraph (2), as approved by the Secretary of Defense.

(9) To ensure that a Department of Defense financial management improvement plan submitted in 2002 pursuant to paragraphs (1) and (2), respectively, of section 1009(c) of the National Defense Authorization Act for Fiscal Year 2002.

(10) An estimate of the amount expended in the fiscal year ending in the year in which the plan is submitted to implement the financial management improvement plan in such preceding fiscal year.

(11) An estimate of the amount expended in the fiscal year ending in the year in which the plan is submitted to implement the financial management improvement plan submitted in the fiscal year ending in the year in which the plan is submitted to implement the annual financial management improvement plan in 2002.

(12) An estimate of the amount expended in the fiscal year ending in the year in which the plan is submitted to implement the annual financial management improvement plan in 2002.

(13) An estimate of the amount expended in the fiscal year ending in the year in which the plan is submitted to implement the annual financial management improvement plan in 2002.

(14) An estimate of the amount expended in the fiscal year ending in the year in which the plan is submitted to implement the annual financial management improvement plan in 2002.
Ballistic Missile Defense Organization.

To the maximum extent practicable, the President shall require, as a condition of authorizing the transfer described in subsection (a), that the country to which the vessel is transferred have such repair or refurbishment of the vessel as is needed, before the vessel joins the naval forces of that country, performed at a shipyard located in the United States, including a United States Navy shipyard.

(g) Expiration of Authority.—During fiscal years 2003 through 2006, the Secretary of Defense may provide support for the counter-drug activities of any other department or agency of the Federal Government or of any State, local, or foreign law enforcement agency for any or all of the purposes set forth in subsection (b) if such support is requested—
“(1) by the official who has responsibility for the counter-drug activities of the department or agency of the Federal Government, in the case of support for other departments or agencies of the Federal Government; and

“(2) by the appropriate official of a State or local government, in the case of support for State or local law enforcement agencies; or

“(3) by the appropriate official of a department or agency of the Federal Government that has counter-drug responsibilities, in the case of support for foreign law enforcement agencies.

“(b) Authorization.—The purposes for which the Secretary of Defense may provide support under subsection (a) are the following:

“(1) to train, equip, and repair of equipment that has been made available to any department or agency of the Federal Government or to any State or local government by the Department of Defense for the purpose of—

“(A) preserving the potential future utility of such equipment for the Department of Defense; and

“(B) upgrading such equipment to ensure compatibility of that equipment with other equipment used by the Department of Defense.

“(2) to maintain, repair, or upgrade of equipment and computer software, other than equipment referred to in paragraph (1) for the purpose of—

“(A) ensuring that the equipment being maintained, repaired, or upgraded is compatible with equipment used by the Department of Defense; and

“(B) upgrading such equipment to ensure the compatibility of that equipment with equipment used by the Department of Defense.

“(3) the transportation of personnel of the United States and foreign countries (including per diem expenses associated with such transportation), and the transportation of supplies and equipment, for the purpose of facilitating counter-drug activities within or outside the United States.

“(4) the establishment (including an unspecified minor military construction project) and operation of bases of operations or training facilities for the purpose of facilitating counter-drug activities of the Department of Defense or any Federal, State, or local law enforcement agency within or outside the United States or counter-drug activities of a foreign law enforcement agency outside the United States.

“(5) Counter-drug related training of law enforcement personnel of the Federal Government, of State and local governments, and of foreign countries, including associated support expenses for trainees and the provision of materials necessary to carry out such training.

“(6) the ensuring of, and communication of the movement of—

“(A) air and sea traffic within 25 miles of and outside the geographic boundaries of the United States; and

“(B) surface traffic outside the geographic boundary of the United States and within the United States but not exceeding 25 miles of the boundaries if the traffic occurred outside of the boundary.

“(7) construction of roads and fences and installation of lighting to block drug smuggling corridors at the United States-Canada international boundaries of the United States.

“(8) Establishment of command, control, communications, and computer networks for improved integration of law enforcement, active military, and National Guard activities.

“(9) the provision of linguist and intelligence analysis services.

“(10) Aerial and ground reconnaissance.

“(c) LIMITATION ON COUNTER-DRUG REQUIREMENTS.—The Secretary of Defense may not limit the receipt of such support under subsection (a) only to critical, emergent, or anticipated requirements.

“(d) CONTRACT AUTHORITY.—In carrying out subsection (a), the Secretary of Defense may provide (or under section 2304 of title 10, other acquire services or equipment by contract for support provided under that subsection if the Department of Defense would normally acquire such services or equipment by contract for the purpose of carrying out a similar activity for the Department of Defense.

“(e) LIMITATION OF PROHIBITION.—Notwithstanding section 376 of title 10, United States Code, the Secretary of Defense may provide support pursuant to subsection (a) in any case where the Secretary determines that the immediate and ongoing provision of such support would adversely affect the military preparedness of the United States in the short term if the Secretary determines that the immediate and ongoing provision of such support outweighs such short-term adverse effect.

“(f) CONDUCT OF TRAINING OR OPERATION TO AID CIVILIAN AGENCIES.—In providing support pursuant to subsection (a), the Secretary of Defense may plan and execute otherwise valid military training or operations (including training exercises undertaken pursuant to section 206(a) of the National Defense Authorization Act for Fiscal Years 1990 and 1991 (Public Law 101-118; 103 Stat. 1564)) for the purpose of aiding civilian law enforcement agencies.

“(g) RELATIONSHIP TO OTHER LAWS.—(1) The authority provided in this section for the support of counter-drug activities by the Department of Defense is in addition to, and except as provided in this section, authority provided in chapter 18 of title 10, United States Code.

“(2) Support under this section shall be subject to the provisions of section 375 and, except as provided in subsection (e), section 376 of title 10, United States Code.

“(h) CONSTRUCTION NOTIFICATION OF FACILITIES PROJECTS.—(1) When a decision is made to carry out a military construction project described in paragraph (2), the Secretary of Defense shall submit to the congressional defense committees written notice of the decision, including the justification for the project and the estimated cost of the project. The project may be carried out no sooner than 21 days after the written notice is received by Congress.

“(2) Paragraph (1) applies to an unspecified minor military construction project that—

“(A) is intended for the modification or repair of a Department of Defense facility for the purpose set forth in subsection (b)(4); and

“(B) has an estimated cost of more than $500,000.

“SEC. 1012. EXTENSION OF REPORTING REQUIREMENTS REGARDING DEPARTMENT OF DEFENSE MAJOR ARMED FORCES OF THE UNITED STATES TO SUPPORT FOREIGN COUNTER-DRUG ACTIVITIES.

“Section 1033 of the National Defense Authorization Act for Fiscal Year 2001 (as enacted into law by Public Law 106-386; 114 Stat. 1654A–253) is amended—

“(1) by inserting “and April 15, 2002,” after “January 1, 2001,”; and

“(2) by striking “fiscal year 2000” and inserting “the preceding fiscal year”.

“SEC. 1013. AUTHORITY TO TRANSFER TRUCKER TRACKER AIRCRAFT CURRENTLY USED BY ARMED FORCES FOR COUNTER-DRUG ACTIVITIES.

“(a) TRANSFER AUTHORITY.—The Secretary of Defense may transfer to the administrative jurisdiction and operational control of another Federal entity, a Trucker Tracker aircraft in the inventory of the Department of Defense.

“(b) EFFECT OF FAILURE TO TRANSFER.—If the transfer authority provided by subsection (a) is not exercised by the Secretary of Defense by September 30, 2002, any Tracker aircraft remaining in the inventory of the Department of Defense may not be used by the Armed Forces for counternarcotics law enforcement operations.

“SEC. 1014. LIMITATION ON USE OF FUNDS FOR OPERATION OF TETHERED AEROSTAT RADAR SYSTEM PENDING SUBMISSION OF FISCAL YEAR 2002 APPROPRIATIONS.

“Not more than 50 percent of the funds appropriated or otherwise made available for fiscal year 2002 for operation of the Tethered Aerostat Radar System, which is used by the Armed Forces in maritime, and land counter-drug detection and monitoring, may be obligated or expended by the Secretary of Defense unless such Secretary submits to Congress the report on the status of the Tethered Aerostat Radar System required by section 1025 of the Floyd D. Spence National Defense Authorization Act for Fiscal Year 2001 (as enacted into law by Public Law 106–386; 114 Stat. 1654A–256).

“Subtitle D—Strategic Forces

“SEC. 1031. REPEAL OF LIMITATION ON RETIREMENT OF DEFENSE MANEUVER STRATEGIC NUCLEAR DELIVERY SYSTEMS.


“SEC. 1032. AIR FORCE BOMBER FORCE STRUCTURE.

“(a) LIMITATION.—None of the funds available to the Department of Defense for fiscal year 2002 may be obligated or expended for retiring or disposing of any of the B-1B or B-2B bombers or other fighters in service as of June 1, 2001, or for transferring or reassigning any of those aircraft to some facet to which assigned as of that date, unless the Secretary of Defense submits to the Committee on Armed Services of the Senate and the Committee on Armed Services of the House of Representatives a report on the Air Force bomber fleet structure currently in place or a revised strategy for the aircraft in that fleet.

“(b) MATTERS TO BE INCLUDED.—The report under subsection (a) shall set forth the following:

“(1) The Air Force plan for the modernization of the B-1-B aircraft fleet, including a transition plan for implementation of that modernization plan and a description of the basing options for the aircraft in that fleet.

“(2) The amount and type of bomber force structure in the Air Force appropriate to meet the requirements of the national security strategy of the United States.

“(3) Specifications of new missions to be assigned to the National Guard units that currently fly B-1 aircraft and the transition of those units and their facilities from the current B-1 mission to their future missions.

“(4) A description of the potential cost and expected effect of the proposed consolidation and reduction of the B-1 fleet on other National Guard units in the affected States.

“(5) A justification of the cost and projected savings of consolidating and reducing the B-1 fleet.

“(c) AMOUNT AND TYPE OF BOMBER FORCE STRUCTURE DEFINED.—In this section the term “amount and type of bomber force structure” means the number of B-2 aircraft, B-52 aircraft, and B-1 aircraft that are required to carry out the current national security strategy.

“SEC. 1033. ADDITIONAL ELEMENT FOR REVISED NUCLEAR POSTURE REVIEW.

“Section 1041(b) of the Floyd D. Spence National Defense Authorization Act for Fiscal Year 2001 (as enacted into law by Public Law 106–386; 114 Stat. 1654A–262) is amended by adding, at the end the following paragraph:

“(7) The possible acquisition or deactivation of nuclear warheads or delivery systems immediately, or immediately after a decision to deactivate nuclear warhead, class of warheads, or delivery system.

“SEC. 1034. REPORT ON OPTIONS FOR MODERNIZATION AND ENHANCEMENT OF MEDIUM WING HELICOPTER SUPPORT.

“(a) REPORT REQUIRED.—The Secretary of Defense shall prepare a report regarding the options for providing the helicopter support mission for the Air Force, including such as the Air Force should do with medium wing helicopters at Minot Air Force Base, North Dakota, Malmstrom Air Force Base, Montana, and F.E. Warren Air Force Base, Wyoming, for the long-term such as the report of the Secretary of Defense submits to Congress the report on the status of the Tethered Aerostat Radar System required by section 1025 of the Floyd D. Spence National Defense Authorization Act for Fiscal Year 2001 (as enacted into law by Public Law 106–386; 114 Stat. 1654A–256).

“December 12, 2001

CONGRESSIONAL RECORD—HOUSE

H9393
SEC. 1041. SECRETARY OF DEFENSE RECOMMENDATION ON NEED FOR DEFENSE GIFT AUTHORITY TO MAKE GIFTS OR LOANS.

(a) AUTHORITY TO MAKE LOANS AND GIFTS.—(1) Subsection (a) of section 7545 of title 10, United States Code, is amended by striking "(a) Subject to—" and inserting—

"(a) Subject to—"

(b) E XCEPTION.

"(b) The Secretary of the Navy may lend or otherwise transfer any portion of the hull or superstructure of a Vessel Register and designated for scrapping to a museum, except that—"

(c) CLERICAL AMENDMENT.

"The Secretary of the Navy may lend or otherwise transfer any portion of the hull or superstructure of a Vessel Register and designated for scrapping to a museum, except that—"

SEC. 1042. DEPARTMENT OF DEFENSE GIFTS TO CONGRESS TO BE ACCOMPANIED BY ELECTRONIC VERSION UPON REQUEST.

SEC. 1043. DEPARTMENT OF DEFENSE GIFT AUTHORITY TO MAKE GIFTS OR LOANS.

(a) AUTHORITY TO MAKE LOANS AND GIFTS.—(1) Subsection (a) of section 7545 of title 10, United States Code, is amended by striking "(a) Subject to—" and all that follows through "and inserting—"

"(a) Subject to—"

(b) E XCEPTION.

"(b) The Secretary of the Navy may lend or otherwise transfer any portion of the hull or superstructure of a Vessel Register and designated for scrapping to a museum, except that—"

(c) CLERICAL AMENDMENT.

"The Secretary of the Navy may lend or otherwise transfer any portion of the hull or superstructure of a Vessel Register and designated for scrapping to a museum, except that—"

SEC. 1044. ACCELERATION OF RESEARCH, DEVELOPMENT, AND PRODUCTION OF MEDICAL COUNTERMEASURES FOR DEFENSE AGAINST BIOLOGICAL WARFARE AGENTS.

(a) AGGRESSIVE PROGRAM REQUIRED.—(1) The Secretary of Defense shall carry out a program to aggressively accelerate the research, development, testing, and licensure of new medical countermeasures for defense against the biological warfare agents that are the highest threat.

(b) STUDY REQUIRED.—(1) The Secretary of Defense shall enter into a contract with the Institute of Medicine and the National Research Council under which the Institute and Council, in consultation with the Secretary, shall carry out a study of the review and approval process for new medical countermeasures for biological warfare agents. The purpose of the study shall be to identify—

"(A) new approaches to accelerating such processes; and

(B) definitive and reasonable methods for assuring the agencies responsible for regulating such countermeasures that such countermeasures will be effective in preventing disease in humans or in providing safe and effective therapy against such agents.

(2) Not later than July 1, 2002, the Institute and Council shall jointly submit to Congress a report on the results of the study.

(c) FACILITY FOR PRODUCTION OF VACCINES.—(1) Subject to paragraph (2) and to the availability of funds for such purposes appropriated pursuant to an authorization of appropriations, the Secretary of Defense may—

"(A) design and construct a facility on a Department of Defense installation for the production of vaccines to meet the requirements of the
Department of Defense to prevent or mitigate the physiological effects of exposure to biological warfare agents.

(2) operate that facility.

(3) The Secretary determines that facility for the production of vaccines in accordance with the requirements of the Food and Drug Administration;

(4) and

(5) in accordance with a private-sector source for the production of vaccines in that facility.

(2) The authority under paragraph (1)(A) to construct a facility may be exercised only to the extent the construction is authorized by law in accordance with section 2802 of title 10, United States Code.

(3) Competitive and sole-source procurements shall not be used if, under chapter 137 of title 10, United States Code, to enter into contracts to carry out subparagraphs (A), (B), and (D) of paragraph (1).

(3) The Secretary shall develop a long-range plan to provide for the production and acquisition of vaccines to meet the requirements of the Department of Defense to prevent or mitigate the physiological effects of exposure to biological warfare agents.

(4) The plan shall include the following:

(A) An evaluation of the need for one or more vaccines to meet the requirements specified in paragraph (1), and the specific pathogens for which such vaccines are specifically dedicated to meeting the requirements of the Defense of Defense and other national interests.

(B) The evaluation of the options for the means of production of such vaccines, including—

(i) use of public facilities, private facilities, or a combination of public and private facilities; and

(ii) management and operation of the facilities by the Federal Government, one or more private persons, or a combination of the Federal Government and one or more private persons.

(C) A specification of the means that the Secretary shall use to ensure that the vaccines are appropriate for the production of such vaccines.

(3) The Secretary shall ensure that the plan is consistent with the requirement for safe and effective vaccines approved by the Food and Drug Administration.

(4) In preparing the plan, the Secretary shall—

(A) consider and, as the Secretary determines appropriate, include the information compiled and the analyses developed in preparing the reports required by sections 217 and 218 of the Floyd D. Spence National Defense Authorization Act for Fiscal Year 2001 (as enacted into law by Public Law 106-398; 114 Stat. 1654A–36, 1654A–37); and

(B) consult with the heads of other appropriate departments and agencies of the Federal Government.

(e) REPORT.—Not later than February 1, 2002, the Secretary shall submit to the congressional defense committees a report on the plan required by subsection (d). The report shall include, at a minimum, the contents of the plan and the following matters:

(1) A description of the policies and requirements of the Department of Defense regarding acquisition of such vaccines;

(2) The estimated schedule for the acquisition of such vaccines in accordance with the plan.

(3) A discussion of the options considered under subsection (d)(3) for the means of production of such vaccines.

(4) The Secretary’s recommendations for the most appropriate course of action to meet the requirements specified in subsection (d)(1), together with the justification for such recommendations and the long-term cost of implementing such recommendations.

(A) The amendment made by subparagraph (A) shall take effect on July 1, 2002, immediately after the amendment to such section effective that date by section 563(a) of the Floyd D. Spence National Defense Authorization Act for Fiscal Year 2001 (as enacted into law by Public Law 106–398; 114 Stat. 1654A–131).

(6) Section 663(e) is amended—

(A) by striking “Armed Forces Staff College” in paragraph (1) and inserting “Joint Forces Staff College”;

(B) by striking “ARMED FORCES STAFF COLLEGE” and inserting “JOINT FORCES STAFF COLLEGE”.

(7) Section 657(17) is amended by striking “army, navy, marine corps, air force, space forces, or coast guard” and inserting “army, navy, marine corps, air force, space forces, or coast guard”.

(8) Section 657(17) is amended by striking “ARMED FORCES STAFF COLLEGE” and inserting “JOINT FORCES STAFF COLLEGE”.

(9) The table of sections at the beginning of chapter 55 is amended by transferring the items specified in section 657(17) to appear after the item relating to section 104h.

(10) The authority under paragraph (1) to present a report setting forth in detail the procedures and guidelines for the Department of Defense for the operation of joint services training and education centers is transferred to the Secretary of Defense.

(f) REPORT.—Not later than 120 days after the date of the enactment of this Act, the Secretary of Defense shall submit to Congress a report on the requirements specified in subsection (d)(1), to the extent practicable, including the information compiled in preparing the report.

(g) PROCUREMENT.—The Secretary shall ensure that operational readiness and safety are not hindered by activities related to the operation of equipment by civilian guests on naval vessels.
§1702. Under Secretary of Defense for Acquisition, Technology, and Logistics: authorities and responsibilities.

§1702. Under Secretary of Defense for Acquisition, Technology, and Logistics; authorities and responsibilities.

§1702. Under Secretary of Defense for Acquisition, Technology, and Logistics; authorities and responsibilities.

§1702. Under Secretary of Defense for Acquisition, Technology, and Logistics; authorities and responsibilities.

§1702. Under Secretary of Defense for Acquisition, Technology, and Logistics; authorities and responsibilities.

§1702. Under Secretary of Defense for Acquisition, Technology, and Logistics; authorities and responsibilities.

§1702. Under Secretary of Defense for Acquisition, Technology, and Logistics; authorities and responsibilities.

§1702. Under Secretary of Defense for Acquisition, Technology, and Logistics; authorities and responsibilities.

§1702. Under Secretary of Defense for Acquisition, Technology, and Logistics; authorities and responsibilities.

§1702. Under Secretary of Defense for Acquisition, Technology, and Logistics; authorities and responsibilities.

§1702. Under Secretary of Defense for Acquisition, Technology, and Logistics; authorities and responsibilities.

§1702. Under Secretary of Defense for Acquisition, Technology, and Logistics; authorities and responsibilities.

§1702. Under Secretary of Defense for Acquisition, Technology, and Logistics; authorities and responsibilities.

§1702. Under Secretary of Defense for Acquisition, Technology, and Logistics; authorities and responsibilities.
and inserting “at a price less than the current sales price”; (B) by striking “; or” and inserting a period; and  
(C) by striking subparagraph (B).
response to a terrorism incident or use of a weapon of mass destruction"; and
(3) in subparagraph (I), by inserting "including protective equipment to respond to a terrorist incident or use of a weapon of mass destruction after personnel the second place it appears.
(c) Technical Amendments.—Subsection (b)(3) is further amended by adding the following sentence and inserting "the grant funds for or more of the following purposes:
(2) by capitalizing the initial letter of the first word of each of subparagraphs (A) through (N); and
(3) by striking the semicolon at the end of each of subparagraphs (A) through (L) and inserting a period; and
(4) by striking "or" at the end of subparagraph (M) and inserting a period.
SEC. 1062. EXTENSION OF TIMES FOR COMMISSION.
(a) Deadline for Report.—Subsection (d)(1) of section 1092 of the Floyd D. Spence National Defense Authorization Act for Fiscal Year 2001 (as enacted by the Public Law 106–398; 114 Stat. 1654A–302) is amended by striking "March 1, 2002" and inserting "one year after the date of the first official meeting of the Commission".
(b) Termination of Commission.—Subsection (g) of such section is amended by striking "30 days" and inserting "60 days".
SEC. 1063. APPROPRIATIONS TO RADIATION EXPOSURE COMPENSATION TRUST FUND.
Section 3(e) of the Radiation Exposure Compensation Act (42 U.S.C. 2210 note) is amended to read as follows:
"(e) Appropriation.—
"(1) IN GENERAL.—There are appropriated to the Fund, out of any money in the Treasury not otherwise appropriated, for fiscal year 2000 and each fiscal year thereafter through fiscal year 2011, such sums as may be necessary, not to exceed the applicable maximum amount specified in paragraph (2), to carry out the purposes of the Fund.
"(2) Limitation.—Appropriation of amounts to the Fund pursuant to paragraph (1) is subject to the following maximum amounts:
"(A) For fiscal year 2002, $172,000,000.
"(B) For fiscal year 2003, $170,000,000.
"(C) For fiscal year 2004, $170,000,000.
"(D) For fiscal year 2005, $165,000,000.
"(E) For fiscal year 2006, $165,000,000.
"(F) For fiscal year 2007, $165,000,000.
"(G) For fiscal year 2008, $20,000,000.
"(H) For fiscal year 2009, $23,000,000.
"(I) For fiscal year 2010, $23,000,000.
"(J) For fiscal year 2011, $17,000,000.
"SEC. 1064. WAIVER OF VEHICLE WEIGHT LIMITS DURING PERIODS OF NATIONAL EMERGENCY.
Section 127 of title 23, United States Code, is amended by adding at the end the following new subsection:
"(b) Waiver for a Route in State of Maine During Periods of National Emergency.—
"(1) In general.—Notwithstanding any other provision of this section, the Secretary, in consultation with the Governor of the State of Maine and the Secretary of Defense, may waive or limit the application of any vehicle weight limit established under this section with respect to the portion of Interstate Route 95 in the State of Maine between Augusta and Bangor for the purpose of making bulk shipments of jet fuel to the Air National Guard Base at Bangor International Airport during a period of national emergency in order to respond to the effects of the national emergency.
"(2) Application.—Emergency limits established under paragraph (1) shall preempt any inconsistent State vehicle weight limits.".
SEC. 1065. REPAIR, RESTORATION, AND PRESERVATION OF LAFAYETTE ESCADRILLE MEMORIAL, MARNES-LA-COQUETTE, FRANCE.
(a) Authority To Make Grant.—(1) Subject to subsections (b) and (c), the Secretary of the Air Force may make a grant to the Lafayette Escadrille Memorial Foundation, Inc., to be used solely for the purpose of repairing, restoring, and preserving the structure, plaza, and surrounding grounds of the Lafayette Escadrille Memorial in Marnes la-Coquette, France.
(2) The amount of the grant may not exceed $2,000,000.
(b) Contribution of Funds by France.—The Secretary of the Air Force may not make the grant authorized by subsection (a) until 30 days after the appropriation is made, indicating that the government of France has also contributed funds toward the repair, restoration, and preservation of the memorial. The report shall specify the amount of the funds contributed by the government of France and describe the purpose for which the funds are to be used.
(c) Conditions on Receipt of Grant.—(1) The grant under subsection (a) shall be subject to the following conditions:
(A) That the Lafayette Escadrille Memorial Foundation submit to the Secretary of the Air Force an annual report, until the grant funds are fully expended, containing an itemized accounting of the expenditures of the fund and describing the progress made to repair, restore, and preserve the memorial.
(B) That the Secretary and the Comptroller General of the United States for any or all of their duly authorized representatives, be given access for the purpose of audit and examination to any books, documents, papers, and records of the Lafayette Escadrille Memorial Foundation.
(C) That none of the grant funds be used for remuneration of any entity or individual associated with fundraising for any project in connection with the repair, restoration, and preservation of the memorial.
(2) The Secretary shall transmit to Congress a copy of each report received under paragraph (1).
(d) Report on Architectural and Engineering Costs.—Not later than one year after the date of the enactment of this Act, the Secretary of the Air Force shall submit to Congress a report containing an estimate of the architectural and engineering costs to be incurred to fully repair, restore, and preserve the memorial and ensure the long-term structural integrity of the memorial. The estimate shall be prepared by a private sector architectural and engineering firm with expertise in the restoration, repair, and maintenance of historic structures. The Secretary, Funds for the contract shall also be derived from the amount specified in subsection (e).
(e) Funds for Grant.—Funds for the grant under subsection (a) shall be derived only from amounts authorized to be appropriated under section 301(a)(4) for operation and maintenance for the Air Force.
TITLE XI—CIVILIAN PERSONNEL MATTERS
Subtitle A—Department of Defense Civilian Personnel
Sec. 1101. Personnel Pay and Qualifications for Positions for Department of Defense Personnel.
Sec. 1101. Personnel pay and qualifications authority for positions of Defense Pentagon Reservation civilian law enforcement and security force.
Sec. 1102. Pilot program for payment of retraining expenses.
(a) Authority To Carry Out Pilot Program.—(1) The Secretary of Defense may establish a pilot program to facilitate the reemployment of eligible employees of the Department of Defense who are involuntarily separated due to a reduction in force, relocation as a result of a transfer of function, realignment, or change of duty status. Under the pilot program, the Secretary may pay retraining incentives to encourage non-Federal employers to hire and retain such eligible employees.
(2) Under the pilot program, the Secretary may enter into an agreement with a non-Federal employer under which the employer agrees—
(A) to employ an eligible employee for at least 12 months at a salary that is mutually agreeable to the employer and the eligible employee; and
(B) to certify to the Secretary the amount of costs incurred by the employer for any necessary training (as defined by the Secretary) provided to such eligible employee in connection with the employment.
(3) The Secretary may pay a retraining incentive to the non-Federal employer upon the employee’s completion of 12 months of continuous
employment with that employer. The Secretary shall determine the amount of the incentive, except that in no event may such amount exceed the lesser of the amount certified with respect to such employee in paragraph (2)(B), or $10,000.

(4) In a case in which an eligible employee does not remain employed by the non-Federal employer for an 12-month period, the Secretary may pay to the employer a prorated amount of what would have been the full retraining incentive if the eligible employee had remained employed for the entire 12-month period.

(b) ELIGIBLE EMPLOYEES.—For purposes of this section, an eligible employee is an employee of the Department of Defense, serving under an appointment without time limit, who has been employed by the Department for a continuous period of at least 12 months and who has been given notice of separation pursuant to a reduction in force, relocation as a result of a transfer of function, realignment, or change of duty status, except that such term does not include—

(1) a reemployed annuitant under the retirement systems described in subchapter III of chapter 83 of title 5, United States Code, or chapter 84 of such title, or another retirement system for employees of the Federal Government;

(2) an employee who, upon separation from Federal service as a result of an immediate annuity under subchapter III of chapter 83 of such title, or subchapter II of chapter 84 of such title; or

(3) an employee who is eligible for disability retirement under any of the retirement systems referred to in paragraph (1).

(c) DURATION.—No incentive may be paid under the pilot program for training commenced after September 30, 2005.

(d) DEFINITIONS.—In this section:

(1) The term “non-Federal employer” means an employer described in Executive Order 13102 as defined in section 105 of title 5, United States Code, or an entity in the legislative or judicial branch of the Federal Government.

(2) The term “reduction in force” has the meaning of that term as used in section 3534 of title 5, United States Code.


SEC. 1103. AUTHORITY OF CIVILIAN EMPLOYEES TO ACT AS NOTARIES.

(a) CLARIFICATION OF STATUS OF CIVILIAN ATTORNEYS ELIGIBLE TO ACT AS NOTARIES.—Subsection (a)(4) of section 476a of title 10, United States Code, is amended by striking “legal assistance officers” in paragraph (2) and inserting “legal assistance attorneys”.

(b) OTHER CIVILIAN EMPLOYEES DESIGNATED TO ACT AS NOTARIES ABROAD.—Such subsection is further amended by adding at the end the following new paragraph:

“(5) Performance of notarial acts at locations outside the United States, all employees of a military department or the Coast Guard who are designated by regulations of the Secretary to act as notaries, to exercise such powers for exercise outside the United States.”.

SEC. 1104. AUTHORITY TO APPOINT CERTAIN HEALTH CARE PROFESSIONALS IN THE EXCEPTED SERVICE.

(a) AUTHORITY.—Chapter 81 of title 10, United States Code, is amended by adding at the end the following new section:

“§ 5349. Appointment in excepted service of certain health care professionals

“(a) AUTHORITY.—The Secretary of Defense may appoint in the excepted service without regard to the provisions of subsection (f) of section 3328 of title 5 and in subsection (c) of this section an individual who has—

“(1) a recognized degree or certificate from an accredited institution in a covered health care profession or occupation; and

“(2) successfully completed a clinical education program recognized by the Department of Defense or the Department of Veterans Affairs.

(b) COVERED HEALTH CARE PROFESSION OR OCCUPATION.—For purposes of subsection (a), a covered health care profession or occupation is any of the following:

“(1) Physician.

“(2) Dentist.

“(3) Podiatrist.

“(4) Optometrist.

“(5) Nurse.

“(6) Physician assistant.

“(7) Expanded-function dental auxiliary.

“(8) Preferences in hiring.—In using the authorities provided by this section, the Secretary shall apply the principles of preference for the hiring of veterans and other individuals established in subchapter I of chapter 33 of title 5.

“(d) PROBATIONARY PERIOD.—There shall be an initial probationary period of two years for appointments made under the authority of this section.

“(e) PROMOTIONS AND ADVANCEMENT.—(1) Promotions of individuals appointed under the authority of this section shall be made only after an examination in accordance with regulations prescribed by the Secretary.

“(2) Advancement of such individuals within a pay grade may be made in increments of the minimum rate under the pay of the grade in accordance with regulations prescribed by the Secretary.

“(f) REVIEW OF RECORDS BY BOARD.—The record of each individual appointed under the authority of this section in the medical, dental, and nursing services shall be reviewed periodically by a board, which shall be appointed in accordance with regulations prescribed by the Secretary. If such board finds that such individual is not fully qualified and satisfactory, such individual shall be separated from service.

“(g) ADJUSTMENT OF PAY.—In accordance with regulations prescribed by the Secretary, the grade and annual rate of basic pay of an individual appointed under this section whose level of assignment is changed from a level of assignment in which the grade level is based on both the nature of the assignment and qualifications may be adjusted to the grade and annual rate of basic pay otherwise appropriate.

“(h) APPOINTMENT TO ADDITIONAL POSITIONS.—(1) The Secretary may use the authority of this subsection (subject to paragraph (2)) to appoint an individual and appoint and advance an individual in the Department of Defense as—

“(A) a clinical or counseling psychologist (if such psychologist holds a diploma as a professional psychologist from an accredited university approved by the Secretary);

“(B) a pharmacist;

“(C) a licensed physical therapist;

“(D) an attorney; or

“(E) a pharmacist assistant.

“(2) Notwithstanding any other provision of this title or any other law, all matters relating to adverse actions, disciplinary actions, and grievance procedures involving an individual appointed to a position described in paragraph (1) (including such actions and procedures involving an employee appointment under a probationary status) shall be resolved under the provisions of title 5 as though such individual had been appointed under such title.

“(i) RETIREMENT.—In determining eligibility for reinstatement in the civil service of individuals appointed to positions in the Department of Defense under this section who at the time of such appointment was not in the competitive service status and whose employment in the Department of Defense is terminated, the period of service performed in the Department shall be included in computing the period of service under applicable civil service regulations.”.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter is amended by adding at the end the following new item:

“1599c. Appointment in excepted service of certain health care professionals.”.

Subtitle B—Civilian Human Capital Management

Generally

SEC. 1111. AUTHORITY TO PROVIDE HOSTILE FIRE PAY.

(a) IN GENERAL.—Subchapter IV of chapter 59 of title 5, United States Code, is amended by adding at the end the following new section:

“§ 5949. Hostile fire pay

“(a) The head of an Executive agency may pay an eligible employee hostile fire pay at the rate of $150 for any month in which the employee—

“(1) subject to hostile fire or explosion of hostile mines; or

“(2) on duty in an area in which the employee was in imminent danger of being exposed to hostile fire or explosion of hostile mines in which the employee was subject to hostile fire or explosion of hostile mines;

“(3) killed, injured, or wounded by hostile fire or explosion of a hostile mine, or any other hostile action.

“(b) An employee covered by subsection (a)(3) who is hospitalized as a result of this or any other hostile action, or whose employment in the Department of Defense under this section who at the time of such appointment was not in the competitive service status and whose employment in the Department of Defense is terminated, the period of service performed in the Department shall be included in computing the period of service under applicable civil service regulations.”.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter is amended by adding at the end the following new item:

“§ 5949. Hostile fire pay.”.

(c) EFFECTIVE PERIOD.—This provision is effective as if enacted into law on September 11, 2001, and may be applied with respect to any hostile action that took place on or after that date.

SEC. 1112. PAYMENT OF EXPENSES TO OBTAIN CERTAIN PROFESSIONAL CREDENTIALS.

(a) IN GENERAL.—Chapter 57 of title 5, United States Code, is amended by adding at the end the following new section:

“§ 5757. Payment of expenses to obtain professional credentials

“(a) An agency may use appropriated funds or funds otherwise available to the agency to pay for—

“(1) expenses for employees to obtain professional credentials, including expenses for professional education, State-imposed and professional licenses, and professional certification; and

“(2) examinations to obtain such credentials.

“(b) The authority under subsection (a) may not be exercised on behalf of any employee occupying or seeking to qualify for appointment to an excepted status or status other than that specified by the competitive service because of the confidential, policy-determining, policy-making, or policy-advisory character of the position.”.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter is amended by adding at the end the following new item:

“5757. Payment of expenses to obtain professional credentials.”.

SEC. 1113. PARITY IN ESTABLISHMENT OF WAGE SCHEDULES AND RATES FOR PRE- VAILING RATE EMPLOYEES.

(a) IN GENERAL.—Subsection (c) of section 5343(d) of title 5, United States Code, is amended to read as follows:
December 12, 2001

H9400

CONGRESSIONAL RECORD—HOUSE

SEC. 1114. MODIFICATION OF LIMITATION ON PREMIUM PAY.

(a) In GENERAL.—Section 5547 of title 5, United States Code, is amended to read as follows:

"§5547. Limitation on premium pay

(a) An employee may be paid premium pay under sections 5542, 5545(a), (b), and (c), 5546a, and 5546(f) and (b) only to the extent that the payment does not cause the aggregate of basic pay and such premium pay for any pay period for such employee to exceed the greater of—

(1) the maximum rate of basic pay payable for GS-15 (including any applicable locality-based comparability payment under section 5304 or similar provision of law and any applicable special rate of pay under section 5305 or similar provision of law); or

(2) the rate payable for level V of the Executive Schedule.

(b)(1) Subject to regulations prescribed by the Office of Personnel Management, subsection (a) shall not apply to an employee who is paid premium pay for work in connection with an emergency (including a wildfire emergency) that involves a direct threat to life or property, including work performed in the aftermath of such an emergency.

(2) Notwithstanding paragraph (1), no employee referred to in such paragraph may be paid premium pay under the provisions of law cited in subsection (a) if, or to the extent that, the aggregate of the basic pay and premium pay under those provisions for such employee would, in any calendar year, exceed the greater of—

(1) the maximum rate of basic pay payable for GS-15 in effect at the end of such calendar year (including any applicable locality-based comparability payment under section 5304 or similar provision of law and any applicable special rate of pay under section 5305 or similar provision of law); or

(2) the rate payable for level V of the Executive Schedule in effect at the end of such calendar year.

(c) Subject to regulations prescribed by the Office of Personnel Management, the head of an agency may determine that subsection (a) shall not apply to an employee who is paid premium pay to perform work that is critical to the mission of such agency or to employees who lack the necessary qualifications for such work to be performed at the level of pay under the provisions of law cited in subsection (a) if, or to the extent that, the aggregate of the basic pay and premium pay under those provisions for such employee would not, in any calendar year, exceed the greater of—

(1) the maximum rate of basic pay payable for GS-15 in effect at the end of such calendar year (including any applicable locality-based comparability payment under section 5304 or similar provision of law and any applicable special rate of pay under section 5305 or similar provision of law); or

(2) the rate payable for level V of the Executive Schedule in effect at the end of such calendar year.

(d) The Office of Personnel Management shall prescribe regulations governing the methods of applying subsection (b)(2) and (b)(3) to employees who receive premium pay under section 5542(c) or 5545a, or to firefighters covered by section 5545b who receive overtime pay for hours in their regular tour of duty, and the methods of calculating such regulations. Such regula-
tions may limit the payment of such premium pay on a biweekly basis.

(2) This section shall not apply to any em-
ployee referred to in such paragraph if, or to the extent that, the amount contained in section 5547(c)(2) and inserting "re-
strictions contained in section 5547);

(c) EFFECTIVE DATE.—The amendments made by subsections (a) and (b) shall take effect on the first day of the first pay period beginning on or after the date of enactment of this Act.

SEC. 1115. PARTICIPATION OF PERSONNEL IN TECHNICAL STANDARDS DEVELOPMENT ACTIVITIES.

Subsection (d) of section 12 of the National Technology Transfer and Advancement Act of 1995 (Pub. Law 104-113; 115 U.S.C. 272 note) is amended by striking "limitation on the premium pay for any pay period contained in section 5547(c)(2)" and inserting "re-

SEC. 1116. RESTRICTION OF TRAVEL PROMOTIONAL ITEMS.

(a) DEFINITION.—In this section, the term "agency" has the meaning given that term by section 5701 of title 5, United States Code.

(b) RETENTION OF TRAVEL PROMOTIONAL ITEMS.—To the extent provided under subsection (c), a Federal employee, member of the Foreign Service, member of a uniformed service, any family member or dependent of such an employee or member, or other individual who receives a promotional item (including frequent flyer miles, comparable access to carrier clubs or facilities) as a result of using travel or transportation services obtained at Government expense, may retain the promotional item for personal use if the pro-
motional item is obtained at Government expense and contains the words "service credited under paragraph (16)".

(c) LIMITATION.—Subsection (b)—

(1) applies only to travel that—

(A) is the expense of an agency; or

(B) is accepted by an agency under section 1233 of title 31, United States Code, for such travel;

(2) applies only to travel that—

(A) is not the expense of an agency; and

(B) is accepted by an agency under section 1233 of title 31, United States Code;

(3) does not apply to travel by any officer, em-
ployee, or member of the Foreign Service, member of a uniformed service, any family member or dependent of such an employee or member, or other individual who receives a promotional item (including frequent flyer miles) as a result of using travel or transportation services obtained at Government expense and contains the words "service credited under paragraph (16)".

(d) REGULATORY AUTHORITY.—Any agency with authority to prescribe regulations govern-
ing the acquisition, acceptance, use, or disposal of any travel or transportation services obtained at Government expense or accepted under section 1233 of title 31, United States Code, may prescribe regulations to carry out subsection (b) with respect to those travel or transportation services.

(e) REPEAL OF SUPERSEDING LAW.—Section 608 of the Federal Activities Streamlining Act of 1994 (5 U.S.C. 5702 note; Public Law 103-335) is repealed.

(f) APPLICABILITY.—This section shall apply with respect to personal items received before, on, or after the date of enactment of this Act.

SEC. 1117. APPLICABILITY OF CERTAIN LAWS TO CERTAIN INDIVIDUALS ASSIGNED TO WORK IN THE FEDERAL GOVERN-
MENT.

Section 3374(c)(2) of title 5, United States Code, is amended by inserting "the Ethics in Government Act of 1978, section 27 of the Office of Government Ethics Policy Act," after "chapter 73 of this title,".

Subtitle C—Intelligence Civilian Personnel

SEC. 1121. AUTHORITY TO INCREASE MAXIMUM NUMBER OF LOCALLY BASED WAGE ADJUSTMENTS.

Section 1806(a) of title 10, United States Code, is amended by striking "517" and inserting "544".

Subtitle D—Matters Relating To Retirement

SEC. 1131. IMPROVED PORTABILITY OF RETIRE-
MENT COVERAGE FOR EMPLOYEES WORKING BETWEEN CIVIL SERVICE EMPLOYMENT AND EMPLOYMENT BY NONAPPROPRIATED FUND INSTRU-
MENTALITIES.

(a) CIVIL SERVICE RETIREMENT SYSTEM.—Sec-
tion 8337(q) of title 5, United States Code, is amended—

(1) in paragraph (1)—

(A) by inserting "and" at the end of subpara-
graph (A); (B) by striking subparagraph (B); and

(C) by redesignating subparagraph (C) as sub-
paragraph (B); and

(2) in paragraph (2)(B)—

(A) by striking "vesting" and

(B) by striking ", as the term", and all that follows through "such system".

(b) FEDERAL EMPLOYEES' RETIREMENT SYS-
TEM.—Section 8401(a) of such title is amended—

(1) in paragraph (1)—

(A) by inserting "and" at the end of subpara-
graph (A); (B) by striking subparagraph (B); and

(C) by redesignating subparagraph (C) as sub-
paragraph (B); and

(2) in paragraph (2)(B)—

(A) by striking "vesting" and

(B) by striking ", as the term", and all that follows through "such system".

SEC. 1132. FEDERAL EMPLOYMENT RETIREMENT CREDIT FOR NONAPPROPRIATED FUND INSTRUMENTALITY SERVICE.

(a) CIVIL SERVICE RETIREMENT SYSTEM.—(1) Section 8332(b) of title 5, United States Code, is amended by—

(A) by striking "and" at the end of paragraph (15); and

(B) by striking the paragraph at the end of para-
graph (16) and inserting; and;

(2) by inserting after paragraph (16) the fol-
lowing new paragraph:

"(17) "Service performed by an individual as an employee paid from nonappropriated funds of an instrumentality of the Department of Defense or the Coast Guard described in section 1121(b)(16) that is not covered by paragraph (16) and that is not otherwise creditable, if the indi-
vidual elects (in accordance with regulations prescribed by the Office) to have such service credited under this paragraph.

(18) In the last sentence, by inserting "or (17)" after "service of the type described in paragraph (16)"); and

(19) by inserting after the last sentence the fol-
lowing: "Service credited under paragraph (17) may not also be credited under any other retire-
ment system provided for employees paid from nonappropriated funds of a nonappropriated fund instrumentalitty.".

(2) Section 3349 of such title is amended by adding at the end the following new subsection:

"(d) In subsection (c) of paragraph (1) of subsection (b), no de-
posit may be made with respect to service cred-
ited under section 3323(b)(17)."

(3) Section 3339 of such title is amended by adding at the end the following new subsection:

"(e) The annuity of an employee retiring under such subchapter with service credited
under section 8332(b)(17) shall be reduced by the amount necessary to ensure that the present value of the annuity payable to the employee is actuarially equivalent to the present value of the annuity that would be payable to the employee under this subchapter if it were computed:

(1) on the basis of service that does not include service credited under section 8332(b)(17); and

(2) assuming the employee separated from service on the actual date of the separation of the employee.

“The amount of the reduction shall be computed under regulations prescribed by the Office of Personnel Management for the administration of this subchapter.”

(b) Federal Employees’ Retirement System.—(1) Section 8411 of such title is amended—

(A) in subsection (b), by striking “and” and inserting “;”;

(B) by striking paragraph (2) and inserting “—

(2) assuming the employee separated from service on the actual date of the separation of the employee.

section 8411(b)(6) shall be reduced by the amount necessary to ensure that the present value of the annuity payable to the employee under this subchapter if it were computed—

(1) on the basis of service that does not include service credited under section 8411(b)(6); and

(2) assuming the employee separated from service on the actual date of the separation of the employee.

“The amount of the reduction shall be computed under regulations prescribed by the Office of Personnel Management for the administration of this subchapter.”

(c) Applicability.—The amendments made by this section shall be inapplicable to service under that Act after October 1, 2002.

(d) Repeal.—The provisions of section 8411(b)(6) shall be repealed.

SEC. 1133. MODIFICATION OF LIMITATIONS ON EXERCISE OF VOLUNTARY SEPARATION INCENTIVE PAY AUTHORITY AND CREDITS TO EARLY RETIREMENT AUTHORITY.

(a) In General.—Section 1153(b) of the Floyd D. Spence National Defense Authorization Act for Fiscal Year 2001 (as enacted into law by Public Law 106–398; 114 Stat. 1654A–323) is amended—

(1) in paragraph (1)—

(A) by striking “Subject to paragraph (2), the” and inserting “The”; and

(B) by striking “in each of fiscal years 2002 and 2003, not more than 900 employees of the Department of Defense are” and inserting “in fiscal year 2002 not more than 200 employees of the Department of Defense are, and in fiscal year 2003 not more than 200 employees of the Department of Defense are”; and

(C) by redesigning subparagraphs (A) and (B) as paragraphs (1) and (2), respectively; and

(2) by striking paragraph (2); and

(b) Construction.—The amendments made by subsection (a) may be superseded by another provision of law that takes effect after the date of the enactment of this Act, and before October 1, 2003, establishing a uniform system of providing voluntary separation incentives (including a system for requiring approval of plans by the Office of Management and Budget) for employees of the Federal Government.

TITLE XII—MATTERS RELATING TO OTHER NATIONS

SUBTITLE A—Matters Related to Arms Control

Sec. 1201. Clarification of authority to furnish nuclear test monitoring equipment to foreign governments.

Sec. 1202. Limitation on funding for joint data exchange center in Moscow.

Sec. 1203. Support of United Nations-sponsored efforts to inspect and monitor Iraqi weapons activities.

Sec. 1204. Authorization of Federal Government contractors to accompany chemical weapons inspection teams at Government-owned facilities.

Sec. 1205. Plan for securing nuclear weapons, material, and expertise of the states of the former Soviet Union.

Sec. 1211. Acquisition of logistical support for security forces.

Sec. 1212. Extension of authority for international treaty, convention, and agreement research and development projects.

Sec. 1213. Cooperative agreements with foreign countries and international organizations for reciprocal use of test facilities.

Sec. 1214. Sense of Congress on allied defense burdensharing.

Sec. 1221. Report on significant sales and transfers of military hardware, expertise, and technology to the People’s Republic of China.

Sec. 1222. Reallocation of requirement for reporting to Congress on military deployments to Haiti.

Sec. 1223. Report by Comptroller General on provision of defensive articles, services, and military education and training to foreign countries and international organizations.

SUBTITLE B—Matters Related to Alliances and Friendly Foreign Nations

Sec. 1210. Acquisition of logistical support for security forces.

Sec. 1211. Extension of authority for international treaty, convention, and agreement research and development projects.

Sec. 1212. Cooperative agreements with foreign countries and international organizations for reciprocal use of test facilities.

Sec. 1213. Sense of Congress on allied defense burdensharing.

Sec. 1214. Authority of the President to furnish nuclear test monitoring equipment to foreign governments.

Sec. 1215. Authority of the President to furnish nuclear test monitoring equipment to foreign governments.

Sec. 1216. Authorization of Federal Government contractors to accompany chemical weapons inspection teams at Government-owned facilities.

Sec. 1217. Plan for securing nuclear weapons, material, and expertise of the states of the former Soviet Union.

Sec. 1218. Sense of Congress on allied defense burdensharing.

Sec. 1219. Report on significant sales and transfers of military hardware, expertise, and technology to the People’s Republic of China.

Sec. 1220. Reallocation of requirement for reporting to Congress on military deployments to Haiti.

Sec. 1221. Report by Comptroller General on provision of defensive articles, services, and military education and training to foreign countries and international organizations.

Sec. 1222. Authority of the President to furnish nuclear test monitoring equipment to foreign governments.

**SEC. 1204. AUTHORITY FOR EMPLOYEES OF THE FEDERAL GOVERNMENT TO ACCOMPANY CHEMICAL WEAPONS INSPECTION TEAM AT GOVERNMENT-OWNED FACILITIES.**

(a) AUTHORITY.—Section 303(b)(2) of the Chemical Weapons Convention Implementation Act of 1998 (22 U.S.C. 6724(b)(2)) is amended by inserting after “designation of employees of the Federal Government” the following: “(and, in the case of an inspection of a United States Government facility, the designation of contractor personnel which shall be led by an employee of the Federal Government)”.

(b) CREDENTIALS.—Section 304(c) of such Act (22 U.S.C. 6724(c)) is amended by striking “Federal Government” and inserting “Federal Government (and, in the case of an inspection of a United States Government facility, any accompanying contractor personnel)”.

**SEC. 1205. PREVENTION OF NUCLEAR WEAPONS, MATERIAL, AND EXPERTISE OF THE STATES OF THE FORMER SOVIET UNION.**

(a) PLAN REQUIRED.—Not later than June 15, 2002, the President shall submit to Congress a plan, that has been developed in coordination with other United States agencies—

(1) for cooperating with Russia on disposing, as soon as practicable, of nuclear weapons and weaponsusable nuclear material in Russia that Russia is required to dispose of in its nuclear disarmament program;

(2) for assisting Russia in downsizing its nuclear weapons research and production complex;

(3) for cooperating with the other states of the former Soviet Union on disposing, as soon as practicable, of all nuclear weapons and weaponsusable nuclear material in such states;

(4) for preventing the outflow from the states of the former Soviet Union of scientific expertise that could be used for developing nuclear weapons, other weapons of mass destruction, and delivery systems for such weapons;

(b) CONTENT OF PLAN.—The plan required by subsection (a) shall include the following:

(1) Specific goals and measurable objectives for programs that are designed to carry out the objectives described in subsection (a).

(2) Criteria for success for such programs, and a strategy for eventual termination of United States contributions to such programs and assumption of the ongoing support of those programs by others.

(3) A description of any administrative and organizational coordination and effectiveness of such programs. In particular, the plan shall include consideration of the creation of an interagency committee charged with primary responsibility for the executive branch for—

(A) monitoring United States nonproliferation efforts in the states of the former Soviet Union;

(B) coordinating the implementation of United States policy with respect to such efforts; and

(C) recommending to the President integrated policies, budget options, and priorities for such programs.

(4) An estimate of the cost of carrying out such programs.

(c) CONCLUSION.—In developing the plan required by subsection (a), the President—

(1) is encouraged to consult with the relevant states of the former Soviet Union regarding the practicability of its implementation; and

(2) shall consult with the majority and minority leadership of the appropriate committees of Congress.

Subtitle B—Matters Relating to Allies and Friendly Foreign Nations

**SEC. 1211. ACQUISITION OF LOGISTIC SUPPORT FOR SECURITY FORCES.**

Section 5 of the Multinational Force and Observer Force Authorization Act (22 U.S.C. 4512) is amended by adding at the end the following new subsection:

“(d)(1) The United States may use contractors to provide logistical support to the Multinational Force and Observers under this section in lieu of providing such support through a logistical support unit comprised of members of the United States Armed Forces.

(2) Notwithstanding subsections (a) and (b) and section 7(b), support by a contractor under this subsection shall be provided without reimbursement whenever the President determines that such action enhances or supports the national security interests of the United States.

**SEC. 1212. EXERCISE OF AUTHORITY FOR INTERNATIONAL COOPERATIVE RESEARCH AND DEVELOPMENT PROJECTS.**

(a) ELIGIBILITY OF FRIENDLY FOREIGN COUNTRIES.—Section 250a of title 10, United States Code, is amended—

(1) in subsection (a)—

**TITLE XIII—COOPERATIVE THREAT REDUCTION WITH STATES OF THE FORMER SOVIET UNION**

**SEC. 1301. SPECIFICATION OF COOPERATIVE THREAT REDUCTION PROGRAMS AND FUNDS.**

For purposes of section 301 and other provisions of this Act, Cooperative Threat Reduction programs are the programs specified in section 1501 of the Floyd D. Spence National Defense Authorization Act for Fiscal Year 2001 (Public Law 106–246; 110 Stat. 2499). Not later than June 15, 2002, the President shall submit to Congress a report on activities and assistance under Cooperative Threat Reduction programs.

**SEC. 1302. FUNDING ALLOCATIONS.**

(1) For strategic offensive arms elimination in Russia, $13,405,000.

(2) For strategic nuclear arms elimination in Ukraine, $51,500,000.

(3) For nuclear weapons transportation security in Russia, $9,500,000.

(4) For nonstrategic weapons storage security in Russia, $56,000,000.

(5) For biological weapons proliferation prevention activities in the former Soviet Union, $17,000,000.

(6) For activities designated as Other Assessments/Administrative Support, $13,221,000.

(7) For defense and military contacts, $18,650,000.

(8) For chemical weapons destruction in Russia, $50,000,000.

(9) For weapons of mass destruction infrastructure elimination activities in Kazakhstan, $6,000,000.

(10) For weapons of mass destruction infrastructure elimination activities in Ukraine, $6,000,000.

(11) For activities to assist Russia in the elimination of plutonium production reactors, $41,700,000.

**SEC. 1303. REPORT ON OBLIGATION OR EXPENDITURE OF FUNDS FOR OTHER PURPOSES.—**No fiscal year 2002 Cooperative Threat Reduction funds may be obligated or expended for a purpose other than a purpose listed in paragraphs (11) of subsection (a) until 30 days after the date that the Secretary of Defense submits to Congress a report on the purpose for which the funds will be obligated or expended and the amount of funds to be obligated or expended.

Nothing in the preceding sentence shall be construed as authorizing the obligation or expenditure of funds for a purpose for which the obligation or expenditure of such funds is specifically prohibited under this title or any other provision of law.

(c) LIMITED AUTHORITY TO VARY INDIVIDUAL AMOUNTS.—(1) Subject to paragraphs (2) and (3), in any case in which the Secretary of Defense determines that such action enhances or supports the national interest, the Secretary may obligate amounts appropriated for fiscal year 2002 for a purpose listed in any of the paragraphs in subsection (a) in excess of the amount specifically authorized for such purpose.

(2) An obligation of funds for a purpose stated in any of the paragraphs in subsection (a) in excess of the specific amount authorized for such purpose may be made by the authority provided in paragraph (1) only after—

(A) the Secretary submits to Congress notification of the intent to do so together with a complete discussion of the justification for doing so; and

(B) 15 days have elapsed following the date of the notification.

(3) The Secretary may not, under the authority provided in paragraph (1), obligate amounts for the purposes stated in paragraph (6), (7), or (11) of subsection (a) in excess of 115 percent of the amount specifically authorized for such purposes.

(d) MODIFICATION OF AUTHORITY TO VARY INDIVIDUAL AMOUNTS OF FY 2001 FUNDS.—Section 1301 of the Floyd D. Spence National Defense Authorization Act for Fiscal Year 2001 (as enacted into law by Public Law 106–398; 114 Stat. 1654A–340) is amended by striking “(4)’’.

**SEC. 1303. LIMITATION ON USE OF FUNDS UNIL THE SUBMISSION OF REPORTS.**

Not more than 50 percent of fiscal year 2002 Cooperative Threat Reduction funds may be obligated or expended until 30 days after the date of submission of—

(1) the report required to be submitted in fiscal year 2001 under section 1308(a)(3) of the Floyd D. Spence National Defense Authorization Act for Fiscal Year 2001 (as enacted into law by Public Law 106–398; 114 Stat. 1654A–341); and

(2) the multyear plan required to be submitted for fiscal year 2001 under section 1308(b) of such Act.

**SEC. 1304. REQUIREMENT TO CONSIDER USE OF REVENUE GENERATED BY ACTIVITIES CARRIED OUT UNDER COOPERATIVE THREAT REDUCTION PROGRAMS.**

The Secretary of Defense shall consider the use of revenue generated by activities carried out under Cooperative Threat Reduction programs in negotiating and executing contracts with Russia to carry out such programs.
TITLE XIV
ARMED FORCES RETIREMENT HOME


SEC. 1302. Definitions.

SEC. 1303. Revision of authority establishing the Armed Forces Retirement Home.

SEC. 1304. Chief Operating Officer.

SEC. 1305. Residents of Retirement Home.

SEC. 1306. Annual reports and repeals of obsolete provisions.

SEC. 1307. Reports on activities and assistance under cooperative threat reduction programs.

SEC. 1308. Fiscal year 2001 Cooperative Threat Reduction funds may be used for construction activities carried out under Russia’s program to eliminate the production of weapons grade plutonium.

SEC. 1309. Additional matter in annual report on activities and assistance under cooperative threat reduction programs.


SEC. 1311. Establishment of the Armed Forces Retirement Home.

SEC. 1312. Authorization of appropriations.

SEC. 1313. Definitions.


SEC. 1315. Chief Operating Officer.

SEC. 1316. Trust Fund.

SEC. 1317. Reports and repeal of obsolete provisions.

SEC. 1318. Fiscal year 2001 cooperative threat reduction programs.

SEC. 1319. Purpose.

SEC. 1320. Reports on activities and assistance under cooperative threat reduction programs.


SEC. 1322. Definitions.

SEC. 1323. Revision of authority establishing the Armed Forces Retirement Home.

SEC. 1324. Chief Operating Officer.

SEC. 1325. Residents of Retirement Home.

SEC. 1326. Annual reports and repeals of obsolete provisions.

SEC. 1327. Reports on activities and assistance under cooperative threat reduction programs.

SEC. 1328. Authorization of appropriations.

SEC. 1329. Purpose.

SEC. 1330. Reports and repeal of obsolete provisions.

SEC. 1331. Fiscal year 2001 cooperative threat reduction programs.

SEC. 1332. Purpose.

SEC. 1333. Reports on activities and assistance under cooperative threat reduction programs.


SEC. 1335. Definitions.

SEC. 1336. Revision of authority establishing the Armed Forces Retirement Home.

SEC. 1337. Chief Operating Officer.

SEC. 1338. Residents of Retirement Home.

SEC. 1339. Annual reports and repeals of obsolete provisions.

SEC. 1340. Reports on activities and assistance under cooperative threat reduction programs.

SEC. 1341. Authorization of appropriations.

SEC. 1342. Purpose.

SEC. 1343. Reports and repeal of obsolete provisions.

SEC. 1344. Fiscal year 2001 cooperative threat reduction programs.

SEC. 1345. Purpose.

SEC. 1346. Reports on activities and assistance under cooperative threat reduction programs.


SEC. 1348. Definitions.

SEC. 1349. Revision of authority establishing the Armed Forces Retirement Home.

SEC. 1350. Chief Operating Officer.

SEC. 1351. Residents of Retirement Home.

SEC. 1352. Annual reports and repeal of obsolete provisions.

SEC. 1353. Reports on activities and assistance under cooperative threat reduction programs.


SEC. 1355. Purpose.

SEC. 1356. Reports and repeal of obsolete provisions.

SEC. 1357. Fiscal year 2001 cooperative threat reduction programs.

SEC. 1358. Purpose.

SEC. 1359. Reports on activities and assistance under cooperative threat reduction programs.

SEC. 1360. Authorization for the Armed Forces Retirement Home.
(c) Responsibilities.—(1) The Chief Operating Officer shall be responsible to the Secretary of Defense for the overall direction, operation, and management of the Retirement Home and shall report to the Secretary on those matters.

(2) The Chief Operating Officer shall supervise the operation and administration of the Armed Forces Retirement Home—Washington and the Armed Forces Retirement Home—Gulfport, including the Local Boards of those facilities.

(3) The Chief Operating Officer shall perform the following duties:

(A) Issue, and ensure compliance with, appropriate rules for the operation of the Retirement Home.

(B) Periodically visit, and inspect the operation of, the facilities of the Retirement Home.

(C) Periodically examine and audit the accounts of the Retirement Home.

(D) Establish any advisory body or bodies that the Chief Operating Officer considers to be necessary.

(d) Compensation.—(1) The Secretary of Defense may prescribe the pay of the Chief Operating Officer, except that the annual rate of basic pay, including any locality pay, of the Chief Operating Officer may not exceed the annual rate of basic pay payable for level III of the Executive Schedule under section 5314 of title 5, United States Code.

(2) In addition to basic pay and any locality pay prescribed for the Chief Operating Officer, the Secretary may award the Chief Operating Officer a cash award at any time to recognize significant contributions to the best interests of the Retirement Home, based on the performance of the Chief Operating Officer for the year. The Secretary shall prescribe the amount of any such bonus.

(3) The total amount of the basic pay and bonus paid the Chief Operating Officer for a year under this section may not exceed the annual rate of basic pay payable for level I of the Executive Schedule under section 5314 of title 5, United States Code.

(e) Administrative Staff.—(1) The Chief Operating Officer may, subject to the approval of the Secretary of Defense, appoint a staff to assist in the performance of the Chief Operating Officer's duties in the overall administration of the Retirement Home.

(2) The Chief Operating Officer shall prescribe the rates of pay applicable to the members of the staff appointed under paragraph (1), except that—

(A) a staff member who is a member of the Armed Forces on active duty or who is a full-time employee of the United States may accept a financial management position on the administrative staff; and

(B) the limitations in section 5337 of title 5, United States Code, relating to pay set by authority to establish an establishment on the administrative staff, apply to the rates of pay prescribed under this paragraph.

(f) Acceptance of Gifts.—(1) The Chief Operating Officer may accept gifts of money, property, and facilities on behalf of the Retirement Home.

(2) Monies received as gifts, or realized from the disposition of property and facilities received, or financial management service provided, in the Armed Forces Retirement Home Trust Fund.

(g) Transfer of Authorities.—(1) The following provisions are amended by striking "Retirement Home Board" each place it appears and inserting "Chief Operating Officer":

(A) Section 1512 (24 U.S.C. 412), relating to eligibility for residence in the Armed Forces Retirement Home.

(B) Section 1513(a) (24 U.S.C. 412(a)), relating to the services provided to residents of the Armed Forces Retirement Home.

(C) Section 1518(c) (24 U.S.C. 418(c)), relating to inspection of the Armed Forces Retirement Home.

(2) Section 1519(c) (24 U.S.C. 419(c)), relating to authority to invest funds in the Armed Forces Retirement Home Trust Fund, is amended by striking "Director" and inserting "Chief Operating Officer":

(3) Section 1521(a) (24 U.S.C. 421(a)), relating to payment of residents for services, is amended by striking "Retirement Home Board" and inserting "Chief Operating Officer".

(4) Section 1522 (24 U.S.C. 422), relating to authority to perform certain uncompensated services, is amended—

(A) in subsection (a)—

(i) by striking "Chairman of the Retirement Home Board" and inserting "Chief Operating Officer or the Director of the establishment"; and

(ii) by striking "unless" and all that follows through "Director";

(B) in subsection (b)(1)—

(i) by striking "Chairman of the Retirement Home Board or the Director of the establishment" and inserting "Chief Operating Officer or the Director of a facility"; and

(ii) by inserting "offering the services" after "notify the person";

(C) in subsection (b)(2), by striking "Chairman" and inserting "Chief Operating Officer";

(D) in subsection (c), by striking "Chairman of the Retirement Home Board or the Director of an establishment" and inserting "Chief Operating Officer or the Director of a facility"; and

(E) in subsection (e)—

(i) by striking "Chairman of the Retirement Home Board or the Director of the establishment" in the first sentence and inserting "Chief Operating Officer or the Director of a facility"; and

(ii) by striking "Chairman" in the second sentence and inserting "Chief Operating Officer";

(5) Section 1523(b) (24 U.S.C. 423(b)), relating to presentation of historic buildings and grounds at the Armed Forces Retirement Home, is amended by striking "Chairman of the Retirement Home Board" and inserting "Chief Operating Officer".

SEC. 1405. RESIDENTS OF THE RETIREMENT HOME

(a) Repeal of Requirement of Resident to Reapply after Substantial Absence.—Subsection (e) of section 1512 (24 U.S.C. 412) is repealed.

(b) Fees Paid by Residents.—Section 1514 (24 U.S.C. 414) is amended to read as follows:

SEC. 1514. FEES PAID BY RESIDENTS.

(a) Monthly Fees.—The Director of each facility and to the Chief Operating Officer or the Secretary of Defense, as determined by the Secretary of Defense, that the Secretary of Defense determines appropriate, forms the following percentages and limitations on maximum monthly amount that shall be charged to each resident that is a permanent health care resident, 65 percent (without limitation on maximum monthly amount); and for an assisted living resident of the Armed Forces Retirement Home—Gulfport occupied on a nonexclusive basis, as determined by the Secretary of Defense, the limitation on maximum monthly amount applicable to the residents for months beginning after December 31, 2001, shall be—

(1) in the case of an independent living resident, $900; and

(2) in the case of an assisted living resident, $3,100.

(b) Duties.—The Local Board for a facility shall serve in an advisory capacity to the Director of the facility and to the Chief Operating Officer.

(c) Composition.—(1) The Local Board for a facility shall consist of at least 11 members who shall, when first appointed, be members of the armed forces, and any member of the armed forces so appointed shall continue to serve as a member of the Board until the date of the Secretary of Defense.

(2) The members of the Board of a facility shall consist of the following members:

(A) One member of the military service, a nonvoting member.

(B) One member of the military service, as determined by the Secretary of Defense, in consultation with each of the Secretaries of the military departments concerned, who is a general officer of the military service.

(C) One senior representative of one of the armed forces service branches, as determined by the Secretary of Defense.

(D) One senior judge advocate from one of the armed forces service branches, as determined by the Secretary of Defense.

(E) One senior noncommissioned officer of the military service, as determined by the Secretary of Defense.

(F) One enlisted representative of the military service, as determined by the Secretary of Defense.

(G) One senior noncommissioned officer of the one of the armed forces.

(H) One senior representative of the military hospitals nearest in proximity to the facility.

(I) One senior judge advocate from one of the armed forces.

(J) The Director of the facility, who shall be a nonvoting member.

(K) One senior representative of the chief personnel officers of the armed forces.

(L) Two members shall be representatives of the Armed Forces Retirement Home Trust Fund.

(M) Two members shall be representatives of the Armed Forces Retirement Home Board or the Director of the establishment.

(3) The authority, which may be exercised by the Board, may be exercised by the Secretary of Defense or the Secretary of a military department, as determined by the Secretary of Defense, with the approval of the Secretary of Defense, in consultation with each of the Secretaries of the military departments concerned.

(4) The members of the Board shall receive such compensation as the Secretary of Defense may prescribe by rule, but not to exceed $1,500 per month; and

(5) Members of the Board who are members of the armed forces may be deemed to be in the armed forces for the purposes of title 10, United States Code, and shall be entitled to the same pay as if present for duty at their place of service, and shall receive such pay while in attendance at meetings of the Board.

(6) The members of the Board shall not be liable to any of the United States for any act or omission in the performance of their duties as members of the Board.

(7) The members of the Board shall, except as otherwise provided, be reimbursed for all necessary travel expenses incurred in attending meetings of the Board.

(8) No compensation shall be paid to a member of the Board unless the member has attended at least 80 percent of the meetings of the Board during the preceding year.

(9) The members of the Board shall be reimbursed for all necessary travel expenses incurred in attending meetings of the Board.

(10) Subject to the approval of the Secretary of Defense, the Board may retain the services of a consulting firm or other expert in nursing home or retirement home administration and financing from the geographical area of the facility.

(11) One member who is a civilian expert in gerontology from the geographical area of the facility.

(12) One member who is a service expert in financial management.

(D) One representative of the Department of Veterans Affairs regional office nearest in proximity to the facility, who shall be designated by the Secretary of Veterans Affairs.

(E) One representative of the Secretary, Secretary of Defense, the Secretary of Veterans Affairs, or the Secretary of Environmental Protection.

(F) One member of the Armed Forces, a nonvoting member.

(G) The senior noncommissioned officer of one of the armed forces.

(H) One member of the armed forces retirement home nearest in proximity to the facility.

(I) One senior judge advocate from one of the armed forces.

(J) The Director of the facility, who shall be a nonvoting member.

(K) One senior representative of the chief personnel officers of the armed forces.
“(L) Other members designated by the Secretary of Defense (if the Local Board is to have more than 11 members).”

“(2) The Secretary of Defense shall designate one member of a Local Board to serve as the chairman of the Local Board at the pleasure of the Secretary of Defense.

(d) TERMS.—(1) Except as provided in subsection (a), the term of office of a member of a Local Board shall be five years.

“(2) Unless earlier terminated by the Secretary of Defense, a person designated to serve as a member of a Local Board after the expiration of the term of the member until a successor is appointed or designated, as the case may be, shall continue to serve in the next term for which the predecessor was appointed.

“(3) A vacancy in a Local Board shall not affect its authority to perform its duties.

(g) EARLY TERMINATION.—The Secretary of Defense may terminate the appointment of a member of a Local Board before the expiration of the term of the member on any day for which the duties include the performance of any of the duties of the member, if the Secretary determines appropriate.

(a) APPOINTMENT.—The Secretary of Defense, a person may continue to serve and shall perform the duties of the Secretary of Defense.

(b) DUTIES OF DEPUTY DIRECTOR.—The Deputy Director of a facility shall, under the authority, direction, and control of the Director of the facility, perform such duties as the Director may assign.

(f) ASSOCIATE DIRECTOR.—(1) The Associate Director of a facility shall—

“(A) be a member of the Armed Forces serving on active duty in the grade of Sergeant Major, Master Chief Petty Officer, or Chief Master Ser-

“(B) have appropriate leadership and management skills.

“(2) The Associate Director of a facility shall serve at the pleasure of the Secretary of Defense.

(d) DEPUTY DIRECTOR.—(1) A vacancy in the membership of a Local Board shall be filled in the manner in which the original appointment or designation was made, as the case may be.

“(2) A member appointed or designated to fill a vacancy occurring before the end of the term of the predecessor of the member shall be appointed or designated, as the case may be, for the remainder of the term for which the predecessor was appointed.

“(v) VACANCIES.—(1) A vacancy in the membership of a Local Board shall be filled in the manner in which the original appointment or designation was made, as the case may be.

“(2) A member appointed or designated to fill a vacancy occurring before the end of the term of the predecessor of the member shall be appointed or designated, as the case may be, for the remainder of the term for which the predecessor was appointed.

“(3) A vacancy in a Local Board shall not affect its authority to perform its duties.

(b) COMPENSATION.—(1) Except as provided in paragraph (2), a member of a Local Board shall—

“(A) be provided a stipend consistent with the daily government consultant fee for each day on which the member is engaged in the performance of services for the Local Board; and

“(B) while away from home or regular place of business in the performance of services for the Local Board, be allowed travel expenses (including per diem in lieu of subsistence) in the same manner as a person employed intermittently in Government under sections 5701 through 5707 of title 5, United States Code.

“(c) MEMBER OF A LOCAL BOARD WHO IS A MEMBER OF THE ARMED FORCES.—(1) A member of a Local Board who is a member of the Armed Forces on active duty or a full-time officer or employee of the United States shall receive no additional pay by reason of serving on a Local Board.

SEC. 1407. DIRECTORS, DEPUTY DIRECTORS, ASSOCIATE DIRECTORS, AND STAFF OF FACILITIES.

Section 1517 (24 U.S.C. 417) is amended to read as follows:

SEC. 1517. DIRECTORS, DEPUTY DIRECTORS, ASSOCIATE DIRECTORS, AND STAFF OF FACILITIES.

(a) APPOINTMENT.—The Secretary of Defense shall appoint a Director, a Deputy Director, and an Associate Director for each facility of the Retirement Home.

(b) DIRECTOR.—The Director of a facility shall—

“(1) be a civilian with experience as a continuing care retirement community professional or a member of the Armed Forces serving on active duty in a grade below brigadier general or, in the case of the Navy, rear admiral (lower half);

“(2) have appropriate leadership and management skills; and

“(3) be required to pursue a course of study to receive certification as a retirement facility director by an appropriate civilian certifying organization, if the Director is not so certified at the time of appointment.

(c) DUTIES OF DIRECTOR.—(1) The Director of a facility shall be responsible for the day-to-day operation of the facility, including the acceptance of applicants to be residents of that facility.

“(2) The Director of a facility shall keep accurate and complete records of the operation of the facility.

“(d) DEPUTY DIRECTOR.—(1) The Deputy Director of a facility shall—

“(A) be a civilian with experience as a continuing care retirement community professional or a member of the Armed Forces serving on active duty in a grade below colonel or, in the case of the Navy, captain; and

“(B) have appropriate leadership and management skills.

“(2) The Deputy Director of a facility shall serve at the pleasure of the Secretary of Defense.

“(e) DUTIES OF DEPUTY DIRECTOR.—The Deputy Director of a facility shall, under the authority, direction, and control of the Director of the facility, perform such duties as the Director may assign.

(f) ASSOCIATE DIRECTOR.—(1) The Associate Director of a facility shall—

“(A) be a member of the Armed Forces serving on active duty in the grade of Sergeant Major, Master Chief Petty Officer, or Chief Master Ser-

“(B) have appropriate leadership and management skills.

“(2) The Associate Director of a facility shall serve at the pleasure of the Secretary of Defense.

“(g) DUTIES OF ASSOCIATE DIRECTOR.—The Associate Director of a facility shall, under the authority, direction, and control of the Director and Deputy Director of the facility, serve as ombudsman for the residents and perform such other duties as the Director may assign.

(h) STAFF.—(1) The Director of a facility may, subject to the approval of the Chief Operating Officer, hire and pay staff and such principal staff as the Director considers appropriate to assist the Director in operating the facility.

“(2) The principal staff of a facility shall include persons with experience and expertise in the operation and management of retirement homes and in the provision of long-term medical care for older persons.

“(2) ANNUAL EVALUATION OF DIRECTORS.—(1) The Chief Operating Officer shall evaluate the performance of each of the Directors of the fac-

“(3) The Deputy Operating Officer shall submit to the Secretary of Defense any recommenda-

“(4) The Chief Operating Officer determines appropriate taking into consideration the annual evaluation.

SEC. 1408. DISPOSITION OF EFFECTS OF DECEASED PERSONS AND UNCLAIMED PROPERTY.

(a) LEGAL REPRESENTATION FOR RETIREMENT HOME.—Subsection (b)(2)(A) of section 1520 (24 U.S.C. 420) is amended by inserting “who is a full-time officer or employee of the United States or a member of the Armed Forces on active duty after " as a new paragraph:

“(b) CORRECTION OF REFERENCE.—Subsection (b)(1)(B) of such section is amended by inserting “Armed Forces” before “Retirement Home Trust Fund.

SEC. 1409. TRANSITIONAL PROVISIONS.

Part B is amended by striking sections 1531, 1532, and 1533 and inserting the following new sections:

SEC. 1531. TEMPORARY CONTINUATION OF ARMED FORCES RETIREMENT HOME BOARD.

Until the Secretary of Defense appoints the first Chief Operating Officer after the enactment of the National Defense Authorization Act for Fiscal Year 2002, the Armed Forces Retirement Home Board, as constituted on the date before the enactment of that Act, shall continue to serve and shall perform the duties of the Chief Operating Officer.
"PART A—ESTABLISHMENT AND OPERATION OF RETIREMENT HOME

Sec. 1511. Establishment of the Armed Forces Retirement Home.

Sec. 1512. Definition of Retirement Home.

Sec. 1513. Services provided residents.

Sec. 1514. Fees paid by residents.

Sec. 1515. Chief Operating Officer.

Sec. 1516. Director of Trustees.

Sec. 1517. Directors, Deputy Directors, Associate Directors, and staff of facilities.

Sec. 1518. Inspection of Retirement Home.

Sec. 1519. Armed Forces Retirement Home Trust Fund.

Sec. 1520. Disposition of effects of deceased persons; unclaimed property.

Sec. 1521. Payment of residents for services.

Sec. 1522. Authority to accept certain uncompensated services.

Sec. 1523. Preservation of historic buildings and grounds at the Armed Forces Retirement Home—Washington.

"PART B—TRANSITIONAL PROVISIONS

Sec. 1531. Temporary Continuation of Armed Forces Retirement Home Board.

Sec. 1532. Directors of Facilities.

Sec. 1533. Temporary Continuation of Incumbent Deputy Directors.’’

TITLE XV—ACTIVITIES RELATING TO COMBATING TERRORISM

Subtitle A—Increased Funding for Combating Terrorism

Sec. 1501. Definitions.


Sec. 1504. Authorization of use of funds for military construction projects.

Sec. 1505. Treatment of transferred amounts.

Sec. 1506. Quarterly reports.

Subtitle B—Policy Matters Relating to Combating Terrorism

Sec. 1511. Study and report on the role of the Department of Defense with respect to homeland security.

Sec. 1512. Combating Terrorism Readiness Initiatives Fund for combatant commands.

Sec. 1513. Consequences of equipment and related materials loaned to State and local governments assistance for emergency response to a use or threatened use of a weapon of mass destruction.

Sec. 1514. Treatment of advisory panel to assess domestic response capabilities for terrorism involving weapons of mass destruction.

Subtitle A—Increased Funding for Combating Terrorism

SEC. 1501. DEFINITIONS. For purposes of this subtitle:


(2) The term ‘‘Emergency Supplemental Appropriations Act, 2002’’ means an Act (or a portion of an Act) making available for obligation emergency appropriations that were provided, subject to enactment in a subsequent appropriation Act, in the ETR Supplemental Appropriations Act, 2001.

SEC. 1502. AUTHORIZATION OF EMERGENCY APPROPRIATIONS FOR FISCAL YEAR 2001 MADE BY PUBLIC LAW 107–38 AND ALLOCATED FOR NATIONAL DEFENSE FUNCTIONS.

(a) ADJUSTMENT IN AUTHORIZATION AMOUNTS.—(1) Subject to paragraph (2), amounts authorized to be appropriated for fiscal year 2001 in the Floyd D. Spence National Defense Authorization Act for Fiscal Year 2001 (as enacted into law by Public Law 106–398) are hereby increased by such amounts as are necessary to be appropriated for activities specified in subsections (b) through (s) of section 2802 of title 10, United States Code, and transferred by the President (before the date of the enactment of this Act) to the Department of Defense or the National Nuclear Security Administration and subsequently allocated to such appropriations.

(2) Authorization amounts may not be increased under paragraph (1) in excess of amounts derived from the amounts otherwise authorized to be appropriated for activities specified in subsection (b), for the Department of Defense, and in subsection (c), for the National Nuclear Security Administration.

(b) DEPARTMENT OF DEFENSE.—Amounts referred to in subsection (a)(2) for the Department of Defense are amounts for emergency expenses to respond to the terrorist attacks on the United States that occurred on September 11, 2001, allocated to the Department of Defense for fiscal year 2001 for the use of the Armed Forces and other activities and agencies of the Department of Defense, including the purposes stated in section 1594, in the total amount of $13,741,000,000, as follows:

(1) INCREASED SITUATIONAL AWARENESS.—For Increased Situational Awareness, $4,272,000,000.

(2) ENHANCED FORCE PROTECTION.—For Enhanced Force Protection, $1,735,000,000.

(3) IMPROVED COMMAND AND CONTROL.—For Improved Command and Control, $1,459,000,000.

(4) INCREASED WORLDWIDE POSTURE.—For Increased Worldwide Posture, $3,603,000,000.

(5) OFFENSIVE COUNTERTERRORISM.—For Offensive Counterterrorism, $1,459,000,000.

(6) INITIAL CRISIS RESPONSE.—For Initial Crisis Response, $637,000,000.

(7) PENTAGON REPAIR AND UPGRADE.—For Pentagon Repair and Upgrade Activities, $530,000,000.

(8) FUEL COSTS.—For increased fuel costs, $100,000,000.

(9) AIRPORT AND BORDER SECURITY.—For airport and border security, $228,000,000.

(c) NNSA.—The amount referred to in subsection (a)(2) for the National Nuclear Security Administration is the amount of $5,000,000 for emergency expenses to respond to the terrorist attacks on the United States that occurred on September 11, 2001, allocated for fiscal year 2001 for the use of the Armed Forces and other activities and agencies of the National Nuclear Security Administration for weapons activities.

(d) TREATMENT AS ADDITIONAL AUTHORIZATIONS.—The amounts authorized to be appropriated by this section are in addition to amounts otherwise authorized to be appropriated, by the other provisions of this Act or by any other Act, for fiscal year 2001 for the use of the Armed Forces and other activities and agencies of the Department of Defense and for the use of the National Nuclear Security Administration.

SEC. 1503. AUTHORIZATION OF USE OF FUNDS FOR MILITARY CONSTRUCTION PROJECTS.

(a) AUTHORITY FOR USE OF FUNDS.—Qualified emergency defense appropriations may be used to acquire real property or to carry out military construction projects not otherwise authorized by law that the Secretary of Defense determines are necessary to respond to or protect against acts or threats of terrorism or to respond to the terrorist attacks on the United States that occurred on September 11, 2001.

(b) PROJECT AUTHORIZATION.—Any project used to which this section pertains shall be carried out using qualified emergency defense appropriations and Section 1502 of title 10, United States Code.

(c) QUALIFIED EMERGENCY DEFENSE APPROPRIATIONS.—For purposes of this subsection, the term ‘‘qualified emergency defense appropriations’’ means emergency defense appropriations available to the Department of Defense that are authorized by section 1502 or 1503.

SEC. 1505. TREATMENT OF TRANSFERRED AMOUNTS. Amounts transferred under authority of section 1502 or 1503 shall be carried with, and shall be available for the same purposes and for the same time period as, the amounts otherwise appropriated. The transfer authority under those sections is in addition to the transfer authority
provided by section 1001 or any other provision of law.

SEC. 1506. QUARTERLY REPORTS.
(a) QUARTERLY REPORT.—Promptly after the end of a fiscal year, the Secretary of Defense and the Director of Central Intelligence shall each submit to the congressional defense committees a report (in classified and unclassified form, as needed) on the use of funds authorized by this subtitle. Each such report shall, at a minimum, specify the following:
(1) Any balance of funds remaining in the Defense Emergency Response Fund as of the end of the quarter covered by the report.
(2) The accounts to which funds have been transferred or are to be transferred and the amount of each such transfer.
(3) Within such accounts, each project to which any such funds have been transferred or are to be transferred and the amount of funds obligated and the amount expended for each such project as of the end of the quarter covered by the report.

(b) INITIAL REPORT.—The first report under subsection (a) shall be submitted not later than January 2, 2002.

c) FINAL REPORT.—No further report under subsection (a) is required after all funds made available to the Department of Defense pursuant to such Act have been obligated.

Subtitle B—Policy Matters Regarding to Combat Terrorism

SEC. 1511. STUDY AND REPORT ON THE ROLE OF THE DEPARTMENT OF DEFENSE WITH RESPECT TO HOMELAND SECURITY.

(a) STUDY REQUIRED.—The Secretary of Defense shall conduct a study on the appropriate role of the Department of Defense with respect to homeland security. The study shall identify and describe the policies, plans, and procedures of the Department of Defense for combating terrorism, including for the provision of support for the combat support activities of other Federal, State, and local agencies. The study shall specifically identify the following:
(1) The strategy, roles, and responsibilities of the Department of Defense for combating terrorism.
(2) How the Department of Defense will interact with the Office of Homeland Security and how intelligence sharing efforts of the Department of Defense will be organized relative to other Federal agencies and departments and State and local agencies.
(3) The ability of the Department of Defense to protect the United States from airborne threats, including threats originating from within the borders of the United States.
(4) Improvements that could be made to enhance the security of the people of the United States against terrorist threats and recommended actions (including legislative action) and programs to address and overcome existing vulnerabilities.

(b) STUDY REPORT.—The report submitted under section 1511(a) shall identify and describe the policies, plans, and procedures of the Department of Defense for combating terrorism, including for the provision of support for the combat support activities of other Federal, State, and local agencies. The study shall specifically identify the following:
(1) The strategy, roles, and responsibilities of the Department of Defense for combating terrorism.
(2) How the Department of Defense will interact with the Office of Homeland Security and how intelligence sharing efforts of the Department of Defense will be organized relative to other Federal agencies and departments and State and local agencies.
(3) The ability of the Department of Defense to protect the United States from airborne threats, including threats originating from within the borders of the United States.
(4) Improvements that could be made to enhance the security of the people of the United States against terrorist threats and recommended actions (including legislative action) and programs to address and overcome existing vulnerabilities.

SEC. 1512. COMBATING TERRORISM READINESS INITIATIVES FUND FOR COMBATANT COMMANDS.

(a) FUNDING FOR INITIATIVES.—From funds made available in any fiscal year for the budget account in the Department of Defense known as the ‘‘Combating Terrorism Readiness Initiatives Fund’’, the Chairman of the Joint Chiefs of Staff may provide funds to the commander of a combatant command, upon the request of the commander, for the purposes set forth in this section.
Sec. 1606. Simplification of voter registration and absentee ballot application procedures for absent uniformed services and overseas voters.
Sec. 1607. Use of uniformed department of Defense facilities as polling places.

SEC. 1601. SENSE OF CONGRESS REGARDING THE IMPORTANCE OF VOTING.
(a) SENSE OF CONGRESS.—It is the sense of Congress that each person who is an administrator of a Federal, State, or local election—
(1) should be aware of the importance of the ability of uniformed services voters to exercise the right to vote; and
(2) should perform that person’s duties as an election administrator with the intent to ensure that—
(A) each uniformed services voter receives the utmost consideration and cooperation when voting;
(B) each valid ballot cast by such a voter is duly counted; and
(C) all eligible American voters, regardless of race, ethnicity, disability, the language they speak, or the resources of the community in which they live, should have an equal opportunity to cast a vote and to have that vote counted.
(b) UNIFORMED SERVICES VOTER DEFINED.—In this section, the term ‘uniformed services voter means—
(1) a member of a uniformed service (as defined in section 101(a)(5) of title 10, United States Code) in active service;
(2) a member of the Merchant Marine (as defined in section 107 of the Uniformed and Overseas Citizens Absentee Voting Act (42 U.S.C. 1973ff-5)); and
(3) a spouse or dependent of a member referred to in paragraph (1) or (2) who is qualified to vote.

SEC. 1602. VOTING ASSISTANCE PROGRAMS.
(a) IN GENERAL.—Chapter 80 of title 10, United States Code, is amended by adding at the end the following new section:

SEC. 1566. Voting assistance: compliance assessments; assistance.
(a) REGULATIONS.—The Secretary of Defense shall prescribe regulations to require that the Army, Navy, Air Force, and Marine Corps ensure their compliance with any directives issued by the Secretary of Defense in implementing any voting assistance program.
(b) VOTING ASSISTANCE PROGRAMS DEFINED.—In this section, the term ‘voting assistance programs’ means—
(1) the Federal Voting Assistance Program carried out under the Uniformed and Overseas Citizens Absentee Voting Act (42 U.S.C. 1973ff et seq.); and
(2) any similar program.
(c) ANNUAL EFFECTIVENESS AND COMPLIANCE REVIEWS.—(1) The Inspector General of each of the Army, Navy, Air Force, and Marine Corps shall conduct—
(A) an annual review of the effectiveness of voting assistance programs; and
(B) an annual review of the compliance with voting assistance programs of that armed force.
(2) Upon the completion of each annual review under paragraph (1), each Inspector General specified in that paragraph shall submit to the Inspector General of the Department of Defense a report on the results of each such review.

SEC. 1603. GUARANTEE OF RESIDENCY FOR MILITARY PERSONNEL.

Article VII of the Soldiers’ and Sailors’ Civil Relief Act of 1940 (50 U.S.C. 431) is amended by adding at the end the following:

SEC. 704. (a) For purposes of voting for any Federal office (as defined in section 301 of the Federal Election Campaign Act of 1971 (2 U.S.C. 431)) or a State or local office, a person who is absent from a State in compliance with military or naval orders shall not, solely by reason of that absence—
(1) be deemed to have lost a residence or domicile in that State, without regard to whether or not the person intends to return to that State; and
(2) be deemed to have acquired a residence or domicile in any other State; or
(b) be deemed to have become a resident in or a resident of any other State.

(b) In this section, the term ‘State’ includes a territory or possession of the United States, a political subdivision of a State, territory, or possession, and the District of Columbia.’’.

SEC. 1604. ELECTRONIC VOTING DEMONSTRATION PROJECT.

(a) ESTABLISHMENT OF DEMONSTRATION PROJECT.—
(1) IN GENERAL.—Subject to paragraph (2), the Secretary of Defense shall carry out a demonstration project under which absent uniformed services voters are permitted to cast ballots in the regularly scheduled general election for Federal office in November of an even-numbered year through use of an electronic voting system.
(2) AUTHORITY TO DELAY IMPLEMENTATION.—If the Secretary of Defense determines that the implementation of the demonstration project under paragraph (1) would not be feasible or if the Secretary determines that the demonstration project under that paragraph would not be in the best interests of the national security of the United States, the Secretary may delay the beginning of such demonstration project until the regularly scheduled general election for Federal office for November of the year following the year in which the Secretary makes the determination.
(b) COORDINATION WITH STATE ELECTION OFFICIALS.—The Secretary shall carry out the demonstration project under paragraph (1) in consultation with the States that agree to participate in the demonstration project.
(c) REPORT TO CONGRESS.—Not later than June 1 of the year following the year in which the demonstration project is carried out under this section, the Secretary of Defense shall submit to Congress a report analyzing the demonstration project.

SEC. 1605. GOVERNORS’ REPORTS ON IMPLEMENTATION OF ELECTRONIC VOTING SYSTEMS.

SEC. 1606. REPORTS ON IMPLEMENTATION OF ELECTRONIC VOTING SYSTEMS FOR CHANGES IN STATE LAW MADE UNDER FEDERAL VOTING ASSISTANCE PROJECT.

(a) REPORTS.—(1) Whenever a State receives a uniformed services voting assistance legislative
recommendation from the Secretary of Defense, acting as the President-designee, the chief executive authority of that State shall, not later than 90 days after receipt of that recommendation, provide a report on the status of implementation of that recommendation by that State.

(2) If a legislative recommendation referred to in paragraph (1) has been implemented, in whole or in part, by a State, the report to the chief executive authority of that State under that paragraph with respect to that recommendation shall include a description of the changes made to State law to implement the recommendation. If the recommendation has not been implemented, the report shall include a statement of the status of the recommendation before enactment of that legislation and a statement of any recommendation the chief executive officer has made or intends to make to the legislature with respect to that recommendation.

(3) Any report under paragraph (1) shall be transmitted to the Secretary of Defense, acting as the President-designee. The Secretary shall transmit a copy of the response to each Member of Congress who represents that State.

(b) PERIOD OF APPLICABILITY.—This section applies with respect to any uniformed services voting assistance legislative recommendation transmitted to a State by the Secretary of Defense, acting as the President-designee, during the three-year period beginning on the date of the enactment of this Act.

(c) DEFINITIONS.—In this section:

(1) The term "uniformed services voting assistance legislative recommendation" means the recommendation of the President-designee for a modification in the laws of a State for the purpose of improving the access to the polls of absent uniformed services voters and overseas voters.

(2) The term "President-designee" means the head of the executive department designated by the President under section 101(a) of the Uniformed and Overseas Citizens Absentee Voting Act (42 U.S.C. 1973ff(a)).

(3) The term "State" includes the District of Columbia, the Commonwealth of Puerto Rico, Guam, the Virgin Islands, and American Samoa.

(4) The term "Member of Congress" includes a Delegate or Resident Commissioner to the Congress.

SEC. 1606. SIMPLIFICATION OF VOTER REGISTRATION AND ABSENTEE BALLOT APPLICATION PROCEDURES FOR ABSENT UNIFORMED SERVICES AND OVERSEAS VOTERS.

(a) REQUIREMENT FOR STATES TO ACCEPT OFFICIAL FORM FOR SIMULTANEOUS VOTER REGISTRATION AND ABSENTEES BALLOT APPLICATION—

(1) IN GENERAL.—Section 102(f) of the Uniformed and Overseas Citizens Absentee Voting Act (42 U.S.C. 1973ff(f)) is amended—

(A) in paragraph (2)—

(i) by striking "general, special, primary, or runoff"; and

(ii) by inserting "and absentee ballot application" after "voter registration application";

(3) by striking "and" after the semicolon at the end;

(B) by striking the period at the end of paragraph (3) and inserting "and"; and

(C) by adding at the end the following new paragraph:

"(4) use the official post card form (prescribed under section 101) for simultaneous voter registration application and absentee ballot application.".

(2) CONFORMING AMENDMENT.—Section 101(b)(2) of such Act (42 U.S.C. 1973ff(b)(2)) is amended by striking "as recommended in section 102(4)" and inserting "as required under section 102(4)".

(b) USE OF SINGLE APPLICATION FOR ALL SUBSEQUENT ELECTIONS.—Section 104 of such Act (42 U.S.C. 1973ff-3) is amended to read as follows:

"SEC. 104. USE OF SINGLE APPLICATION FOR ALL SUBSEQUENT ELECTIONS.

(a) IN GENERAL.—The Secretary accepts and processes an official post card form (prescribed under section 101) submitted by an absent uniformed services voter or overseas voter for simultaneous voter registration and absentee ballot application in accordance with section 102(a)(4) and the voter requests that the application be considered an application for an absentee ballot for each subsequent election for Federal office held in the State during that year, the State shall provide an absentee ballot to the voter for each subsequent election for Federal office held in the State during that year.

(b) EXCEPTION FOR VOTERS CHANGING REGISTRATION.—Subsection (a) shall not apply with respect to a voter registered to vote in a State for any election held after the voter notifies the State that the voter no longer wishes to be registered to vote in the State or after the State determines that the voter has registered to vote in another State.

(c) REVISION OF OFFICIAL POST CARD FORM.—The President-designee shall revise the official post card form (prescribed under section 101) to enable a voter using the form to—

(1) request an absentee ballot for each election for Federal office held in a State during a year; or

(2) request an absentee ballot for only the next scheduled election for Federal office held in a State.

(d) NO EFFECT ON VOTER REMOVAL PROCEDURE.—Nothing in this section may be construed to prevent a State from removing any voter from the rolls of registered voters in the State under any program or method permitted under section 8 of the National Voter Registration Act of 1993.".

SEC. 1607. USE OF CERTAIN DEPARTMENT OF DEFENSE FACILITIES AS POLLING PLACES.

(a) USE OF MILITARY FACILITIES.—Section 2670 of title 10, United States Code, as amended by adding at the end the following new subsection:

"(b) USE OF CERTAIN FACILITIES AS POLLING PLACES.—Notwithstanding chapter 29 of title 18 (including sections 592 and 593 of such title) or any other provision of law, the Secretary of Defense or Secretary of a military department may not (except as provided in paragraph (3)) prohibit the designation or use of a qualifying facility under the jurisdiction of the Secretary as an official polling place for local, State, or Federal elections.

(2) A Department of Defense facility is a qualifying facility for purposes of this subsection if as of December 31, 2000—

"(A) the facility is designated as an official polling place by a State or local election official; or

"(B) the facility has been used as such an official polling place since January 1, 1996.

(2) The heading of such section is amended to read as follows:

"$2670. Military installations: use by American National Red Cross; use as polling places".

(3) The item relating to such section in the table of sections at the beginning of chapter 159 of title 10 is amended to read as follows:

"$2670. Military installations: use by American National Red Cross; use as polling places".

DIVISION B—MILITARY CONSTRUCTION AUTHORIZATIONS

SEC. 2001. SHORT TITLE, DEFINITION.

(a) SHORT TITLE.—This division may be cited as the "Military Construction Authorization Act for Fiscal Year 2001.".

(b) DEFINITION OF FISCAL YEAR 2001 DEFENSE AUTHORIZATION ACT.—In this division, the term "Spence Act" means the Floyd D. Spence National Defense Authorization Act for Fiscal Year 2001, as enacted into law by Public Law 106–268 (114 Stat. 1654).

TITLE XXI—ARMY

Sec. 2101. Authorized Army construction and land acquisition projects.

Sec. 2102. Family housing.

Sec. 2103. Improvements to military family housing units.

Sec. 2104. Authorization of appropriations, Army.

Sec. 2105. Modification of authority to carry out certain fiscal year 2001 projects.

Sec. 2106. Modification of authority to carry out certain fiscal year 2000 projects.

SEC. 2101. AUTHORIZED ARMY CONSTRUCTION AND LAND ACQUISITION PROJECTS.

(a) INSIDE THE UNITED STATES.—Using amounts appropriated pursuant to the authorization of appropriations in section 2104(a)(1), the Secretary of the Army may acquire real property and carry out military construction projects for the installations and locations inside the United States, and in the amounts, set forth in the following table:

<table>
<thead>
<tr>
<th>State</th>
<th>Installation or location</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Alabama</td>
<td>Acmeon Army Depot</td>
<td>$5,150,000</td>
</tr>
<tr>
<td>Alaska</td>
<td>Fort Rucker</td>
<td>$16,200,000</td>
</tr>
<tr>
<td>Arizona</td>
<td>Redstone Arsenal</td>
<td>$14,000,000</td>
</tr>
<tr>
<td>California</td>
<td>Fort Richardson</td>
<td>$15,100,000</td>
</tr>
<tr>
<td>Colorado</td>
<td>Yuma Proving Ground</td>
<td>$4,900,000</td>
</tr>
<tr>
<td>District of Columbia</td>
<td>Defense Language Institute</td>
<td>$2,700,000</td>
</tr>
<tr>
<td>Georgia</td>
<td>Fort Benning</td>
<td>$2,600,000</td>
</tr>
<tr>
<td></td>
<td>Fort Bragg</td>
<td>$3,000,000</td>
</tr>
<tr>
<td></td>
<td>Fort Brown</td>
<td>$4,200,000</td>
</tr>
<tr>
<td></td>
<td>Fort Gordon</td>
<td>$3,400,000</td>
</tr>
</tbody>
</table>

H9409
(b) OUTSIDE THE UNITED STATES.—Using amounts appropriated pursuant to the authorization of appropriations in section 2104(a)(2), the Secretary of the Army may acquire real property and carry out military construction projects for the locations outside the United States, and in the amounts, set forth in the following table:

### Army: Outside the United States

<table>
<thead>
<tr>
<th>Country</th>
<th>Installation or Location</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Germany</td>
<td>Area Support Group, Bamberg</td>
<td>$36,000,000</td>
</tr>
<tr>
<td></td>
<td>Area Support Group, Darmstadt</td>
<td>$13,300,000</td>
</tr>
<tr>
<td></td>
<td>Baumholder</td>
<td>$9,000,000</td>
</tr>
<tr>
<td></td>
<td>Hanau</td>
<td>$7,300,000</td>
</tr>
<tr>
<td></td>
<td>Heidelberg</td>
<td>$15,300,000</td>
</tr>
<tr>
<td></td>
<td>Mannheim</td>
<td>$16,000,000</td>
</tr>
<tr>
<td></td>
<td>Wurzelsheim Air Base</td>
<td>$26,300,000</td>
</tr>
<tr>
<td>Japan</td>
<td>Camp Schub</td>
<td>$3,800,000</td>
</tr>
<tr>
<td></td>
<td>Camp Carroll</td>
<td>$3,800,000</td>
</tr>
<tr>
<td></td>
<td>Camp Casey</td>
<td>$8,300,000</td>
</tr>
<tr>
<td></td>
<td>Camp Hoevum</td>
<td>$5,700,000</td>
</tr>
<tr>
<td></td>
<td>Camp Humphreys</td>
<td>$14,300,000</td>
</tr>
<tr>
<td></td>
<td>Camp Jackson</td>
<td>$6,100,000</td>
</tr>
<tr>
<td></td>
<td>Camp Stanley</td>
<td>$32,800,000</td>
</tr>
<tr>
<td></td>
<td>Camp Yongsan</td>
<td>$12,800,000</td>
</tr>
<tr>
<td></td>
<td>Kuniai Atoll</td>
<td>$11,000,000</td>
</tr>
<tr>
<td><strong>Total:</strong></td>
<td></td>
<td>$390,343,000</td>
</tr>
</tbody>
</table>

(c) UNSPECIFIED WORLDWIDE.—Using amounts appropriated pursuant to the authorization of appropriations in section 2104(a)(3), the Secretary of the Army may acquire real property and carry out military construction projects for the installation and location, and in the amount, set forth in the following table:

### Army: Unspecified Worldwide

<table>
<thead>
<tr>
<th>Location</th>
<th>Installation</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Unspecified Worldwide</td>
<td>Classified Location</td>
<td>$4,000,000</td>
</tr>
</tbody>
</table>

### SEC. 2102. FAMILY HOUSING.

(a) CONSTRUCTION AND ACQUISITION.—Using amounts appropriated pursuant to the authorization of appropriations in section 2104(a)(6)(A), the Secretary of the Army may construct or acquire family housing units (including land acquisition) at the installations, for the purposes, and in the amounts set forth in the following table:

### Army: Family Housing

<table>
<thead>
<tr>
<th>State or Country</th>
<th>Installation or Location</th>
<th>Purpose</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Alaska</td>
<td>Fort Wainwright</td>
<td>32 Units</td>
<td>$12,000,000</td>
</tr>
<tr>
<td>Arizona</td>
<td>Fort Huachuca</td>
<td>73 Units</td>
<td>$10,800,000</td>
</tr>
<tr>
<td>Kansas</td>
<td>Fort Leonard Wood</td>
<td>80 Units</td>
<td>$11,900,000</td>
</tr>
<tr>
<td>Texas</td>
<td>Camp Humphreys</td>
<td>64 Units</td>
<td>$12,000,000</td>
</tr>
<tr>
<td>Korea</td>
<td>Camp Humphreys</td>
<td>54 Units</td>
<td>$12,000,000</td>
</tr>
<tr>
<td><strong>Total:</strong></td>
<td></td>
<td></td>
<td>$80,400,000</td>
</tr>
</tbody>
</table>

(b) PLANNING AND DESIGN.—Using amounts appropriated pursuant to the authorization of appropriations in section 2104(a)(6)(A), the Secretary of the Army may improve existing military family housing units in an amount not to exceed $11,592,000.

### SEC. 2103. IMPROVEMENTS TO MILITARY FAMILY HOUSING UNITS.

Subject to section 2025 of title 10, United States Code, and using amounts appropriated pursuant to the authorization of appropriations in section 2104(a)(6)(A), the Secretary of the Army may improve existing military family housing units in an amount not to exceed $294,750,000.

### SEC. 2104. AUTHORIZATION OF APPROPRIATIONS, ARMY.

(a) **In General.**—Funds are hereby authorized to be appropriated for fiscal years beginning after September 30, 2001, for military construction, land acquisition, and military family housing functions of the Department of the Army in the total amount of $3,155,594,000, as follows:
(1) For military construction projects inside the United States authorized by section 210(a), $1,127,750,000.

(2) For military construction projects outside the United States authorized by section 210(b), $290,343,000.

(3) For a military construction project at an unspecified worldwide location authorized by section 210(c), $52,900,000.

(4) For unspecified minor construction projects authorized by section 2805 of title 10, United States Code, $18,000,000.

(5) For architectural and engineering services and construction design under section 2807 of title 10, United States Code, $159,533,000.

(6) For military family housing functions:

(A) For construction and acquisition, planning, and design, and improvement of military family housing and facilities, $312,742,000.

(B) For support of military family housing (including the functions described in section 2833 of title 10, United States Code), $1,099,523,000.

(7) For the construction of a cadet development center at the United States Military Academy, West Point, New York, authorized by section 210(a) of the Military Construction Authorization Act for Fiscal Year 1999 (division B of Public Law 106–261; 112 Stat. 2182), $37,900,000.

(8) For the construction of phase 2C of a barracks complex, Tapatayg Street, at Fort Bragg, North Carolina, authorized by section 210(a) of the Military Construction Authorization Act for Fiscal Year 2000 (division B of Public Law 106–65; 113 Stat. 825), $17,500,000.

(9) For the construction of phase 1C of a barracks complex, Wilson Street, at Schofield Barracks, Hawaii, authorized by section 210(a) of the Military Construction Authorization Act for Fiscal Year 2000 (division B of Public Law 106–65; 113 Stat. 825), $23,000,000.

(10) For construction of phase 2 of a basic combat training complex at Fort Leonard Wood, Missouri, authorized by section 210(a) of the Military Construction Authorization Act for Fiscal Year 2000 (division B of Public Law 106–65; 113 Stat. 825), $10,000,000.


(12) For the construction of phase 1 of a barracks complex, Butts Road, at Fort Bragg, North Carolina, authorized by section 210(a) of the Military Construction Authorization Act for Fiscal Year 2001 (division B of the Spence Act; 114 Stat. 1654A–389), $400,000,000.

(13) For the construction of phase 1 of a barracks complex, Longstreet Road, at Fort Bragg, North Carolina, authorized by section 210(a) of the Military Construction Authorization Act for Fiscal Year 2001 (division B of the Spence Act; 114 Stat. 1654A–389), $7,000,000.

(14) For the construction of a multipurpose digital training range at Fort Hood, Texas, authorized by section 210(a) of the Military Construction Authorization Act for Fiscal Year 2001 (division B of the Spence Act; 114 Stat. 1654A–389), as amended by section 2015 of this Act, $13,000,000.

(15) For the homeowners assistance program, as authorized by section 2832(a) of title 10, United States Code, $10,119,000, to remain available until expended.

(b) LIMITATION ON TOTAL COST OF CONSTRUCTION PROJECTS.—Notwithstanding the cost variations authorized by section 2833 of title 10, United States Code, and any other cost variation pursuant to law, the total cost of all projects carried out under section 2101 of this Act may not exceed—

(1) the total amount authorized to be appropriated under paragraphs (1), (2), and (3) of subsection (a);

(2) $52,000,000 (the balance of the amount authorized under section 210(a) for construction of a barracks complex, D Street, at Fort Richardson, Alaska);

(3) $41,000,000 (the balance of the amount authorized for construction of phase 1 of a barracks complex, Nelson Boulevard, at Fort Carson, Colorado);

(4) $36,000,000 (the balance of the amount authorized under section 210(a) for construction of phase 1 of a basic combat training complex at Fort Jackson, South Carolina); and

(5) $50,000,000 (the balance of the amount authorized under section 210(a) for construction of a barracks complex, 17th & B Streets, at Fort Lewis, Washington).

(c) ADJUSTMENT.—The total amount authorized to be appropriated pursuant to paragraphs (1) through (15) of subsection (a) is the sum of such paragraphs, reduced by $29,866,000, which represents the combination of savings resulting from adjustments to foreign currency exchange rates for military construction, military family housing construction, and military family housing support outside the United States and savings resulting from favorable bids, reduced overhead charges, and cancellations due to force structure changes.

SEC. 2105. MODIFICATION OF AUTHORITY TO CARRY OUT CERTAIN FISCAL YEAR 2000 PROJECTS.

(a) MODIFICATION.—The table in section 210(a) of the Military Construction Authorization Act for Fiscal Year 2001 (division B of the Spence Act; 114 Stat. 1654A–389) is amended—

(1) in the item relating to Fort Drum, New York, by striking $18,000,000 in the amount column and inserting $21,000,000;

(2) in the item relating to Fort Hood, Texas, by striking $2,362,000 in the amount column and inserting $39,429,000; and

(3) by striking the amount identified as the total in the amount column and inserting $39,429,000.

(b) CONFORMING AMENDMENTS.—Section 2014 of that Act (114 Stat. 1654A–381) is amended—

(1) in subsection (a), in the matter preceding paragraph (1), by striking $1,925,344,000 and inserting $1,553,744,000; and

(2) in subsection (b)—

(A) in paragraph (2), by striking $22,600,000 and inserting $27,000,000;

(B) in paragraph (4), by striking $10,000,000 and inserting $22,100,000; and

(C) in paragraph (6), by striking $8,000,000 and inserting $9,000,000.

SEC. 2106. MODIFICATION OF AUTHORITY TO CARRY OUT CERTAIN FISCAL YEAR 2000 PROJECTS.


(A) in subsection (a)—

(1) in the matter preceding paragraph (1), by striking $2,238,331,000 and inserting $2,321,931,000; and

(2) in paragraph (1), by striking $390,058,000 and inserting $850,588,000; and

(B) in subsection (b)(7), by striking $102,500,000 and inserting $102,500,000.

TITLe XXII—NAVY

Sec. 2201. Authorized Navy construction and land acquisition projects.

Sec. 2202. Family housing.

Sec. 2203. Improvement to military family housing units.

Sec. 2204. Authorization of appropriations, Navy.

Sec. 2205. Modification of authority to carry out certain fiscal year 2001 projects.

Sec. 2206. Modification of authority to carry out certain fiscal year 2000 project.

SEC. 2201. AUTHORIZED NAVY CONSTRUCTION AND LAND ACQUISITION PROJECTS.

(a) INSIDE THE UNITED STATES.—Using amounts appropriated pursuant to the authorization of appropriations in section 2204(a)(1), the Secretary of the Navy may acquire real property and carry out military construction projects for the installations and locations inside the United States, and in the amounts, set forth in the following table:

<table>
<thead>
<tr>
<th>State</th>
<th>Installation or location</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Arizona</td>
<td>Marine Corps Air Station, Yuma</td>
<td>$22,370,000</td>
</tr>
<tr>
<td>California</td>
<td>Marine Air-Ground Task Force Training Center, Twentynine Palms</td>
<td>$75,125,000</td>
</tr>
<tr>
<td>California</td>
<td>Marine Corps Air Station, Camp Pendleton</td>
<td>$4,470,000</td>
</tr>
<tr>
<td>California</td>
<td>Marine Corps Base Camp Pendleton</td>
<td>$96,460,000</td>
</tr>
<tr>
<td>California</td>
<td>Naval Air Facility, El Centro</td>
<td>$33,320,000</td>
</tr>
<tr>
<td>California</td>
<td>Naval Air Station, Point Mugu</td>
<td>$10,010,000</td>
</tr>
<tr>
<td>California</td>
<td>Naval Air Warfare Center, China Lake</td>
<td>$30,390,000</td>
</tr>
<tr>
<td>California</td>
<td>Naval Air Warfare Center, Point Mugu, San Nicolas Island</td>
<td>$23,320,000</td>
</tr>
<tr>
<td>California</td>
<td>Naval Amphibious Base, Coronado</td>
<td>$6,610,000</td>
</tr>
<tr>
<td>California</td>
<td>Naval Construction Battalion Center, Port Hueneme</td>
<td>$12,400,000</td>
</tr>
<tr>
<td>California</td>
<td>Naval Construction Training Center, Port Hueneme</td>
<td>$5,760,000</td>
</tr>
<tr>
<td>California</td>
<td>Naval Station, San Diego</td>
<td>$47,240,000</td>
</tr>
<tr>
<td>California</td>
<td>Naval Air Facility, Whidbey Island</td>
<td>$31,400,000</td>
</tr>
<tr>
<td>California</td>
<td>Naval Air Station, North Field, Milton</td>
<td>$30,000,000</td>
</tr>
<tr>
<td>California</td>
<td>Naval Station, Monterey</td>
<td>$30,000,000</td>
</tr>
<tr>
<td>California</td>
<td>Naval Training Center, Great Lakes</td>
<td>$30,000,000</td>
</tr>
<tr>
<td>California</td>
<td>Naval Weapons Station, Camp Pendleton</td>
<td>$12,400,000</td>
</tr>
<tr>
<td>California</td>
<td>Marine Corps Base, Kaneohe</td>
<td>$24,920,000</td>
</tr>
<tr>
<td>California</td>
<td>Naval Magazine Louisville</td>
<td>$2,090,000</td>
</tr>
<tr>
<td>California</td>
<td>Naval Shipyard, Pearl Harbor</td>
<td>$9,000,000</td>
</tr>
<tr>
<td>California</td>
<td>Naval Station, San Diego</td>
<td>$2,090,000</td>
</tr>
<tr>
<td>California</td>
<td>Naval Postgraduate School</td>
<td>$12,400,000</td>
</tr>
<tr>
<td>California</td>
<td>Naval Air Station, Brunswick, Georgia</td>
<td>$37,395,000</td>
</tr>
<tr>
<td>California</td>
<td>Naval Shipyard, Newport</td>
<td>$14,000,000</td>
</tr>
<tr>
<td>California</td>
<td>Naval Air Warfare Center, Patuxent River</td>
<td>$2,360,000</td>
</tr>
</tbody>
</table>
(b) OUTSIDE THE UNITED STATES.—Using amounts appropriated pursuant to the authorization of appropriations in section 2204(a)(2), the Secretary of the Navy may acquire real property and carry out military construction projects for the locations outside the United States, and in the amounts, set forth in the following table:

### Navy: Outside the United States

<table>
<thead>
<tr>
<th>State</th>
<th>Installation or location</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Mississippi</td>
<td>Naval Air Warfare Center, St. Inigoes</td>
<td>$5,100,000</td>
</tr>
<tr>
<td>Nevada</td>
<td>Naval Explosive Ordnance Disposal Technology Center, Indian Head</td>
<td>$1,100,000</td>
</tr>
<tr>
<td>New Jersey</td>
<td>Naval Air Station, Merritt Island</td>
<td>$3,370,000</td>
</tr>
<tr>
<td>North Carolina</td>
<td>Naval Construction Battalion Center, Gulfport</td>
<td>$203,434,000</td>
</tr>
<tr>
<td>Pennsylvania</td>
<td>Marine Corps Support Activity, Kansas City</td>
<td>$4,690,000</td>
</tr>
<tr>
<td>Virginia</td>
<td>Naval Weapons Station, Earls</td>
<td>$4,370,000</td>
</tr>
<tr>
<td>Rhode Island</td>
<td>Naval Construction Battalion Center, Camp Lejeune</td>
<td>$67,070,000</td>
</tr>
<tr>
<td>South Carolina</td>
<td>Naval Air Station, Beaufort</td>
<td>$8,020,000</td>
</tr>
<tr>
<td>Tennessee</td>
<td>Marine Corps Support Activity, Marine Corps Reserve Depot, Parris Island</td>
<td>$5,430,000</td>
</tr>
<tr>
<td>Mississippi</td>
<td>Naval Air Station, Pensacola</td>
<td>$1,005,410,000</td>
</tr>
<tr>
<td>Washington</td>
<td>Marine Corps Air Station Base, Camp Lejeune</td>
<td>$67,070,000</td>
</tr>
<tr>
<td>Virginia</td>
<td>Naval Training Center, Philadelphia</td>
<td>$11,400,000</td>
</tr>
<tr>
<td>South Carolina</td>
<td>Naval Underwater Warfare Center, Newport</td>
<td>$11,400,000</td>
</tr>
<tr>
<td>Virginia</td>
<td>Naval Air Station, Newport</td>
<td>$9,370,000</td>
</tr>
<tr>
<td>Georgia</td>
<td>Marine Corps Air Station, Savannah</td>
<td>$3,800,000</td>
</tr>
<tr>
<td>Pennsylvania</td>
<td>Marine Corps Air Station, Quantico</td>
<td>$3,790,000</td>
</tr>
<tr>
<td>South Carolina</td>
<td>Marine Corps Combat Dem Con</td>
<td>$9,390,000</td>
</tr>
<tr>
<td>New York</td>
<td>Naval Amphibious Base, Little Creek</td>
<td>$9,090,000</td>
</tr>
<tr>
<td>Virginia</td>
<td>Naval Station, Norfolk</td>
<td>$39,270,000</td>
</tr>
<tr>
<td>Missouri</td>
<td>Naval Air Station, Whidbey Island</td>
<td>$7,379,000</td>
</tr>
<tr>
<td>Washington</td>
<td>Naval Station, Everett</td>
<td>$6,820,000</td>
</tr>
<tr>
<td>Vermont</td>
<td>Strategic Weapons Facility, Bangor</td>
<td>$3,900,000</td>
</tr>
</tbody>
</table>

Total: $1,058,750,000

SEC. 2202. FAMILY HOUSING.

(a) CONSTRUCTION AND ACQUISITION.—Using amounts appropriated pursuant to the authorization of appropriations in section 2204(a)(5)(A), the Secretary of the Navy may construct or acquire family housing units (including land acquisition) at the installations, for the purposes, and in the amounts set forth in the following table:

### Navy: Family Housing

<table>
<thead>
<tr>
<th>State</th>
<th>Installation or location</th>
<th>Purpose</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Arizona</td>
<td>Marine Corps Air Station Base, Yuma</td>
<td>51 Units</td>
<td>$8,977,000</td>
</tr>
<tr>
<td>California</td>
<td>Marine Air-Ground Task Force Training Center, Twentynine Palms</td>
<td>74 Units</td>
<td>$16,250,000</td>
</tr>
<tr>
<td>Hawaii</td>
<td>Marine Corps Base, Kaneohe</td>
<td>172 Units</td>
<td>$46,996,000</td>
</tr>
<tr>
<td>Mississippi</td>
<td>Naval Construction Battalion Center, Gulfport</td>
<td>40 Units</td>
<td>$16,827,000</td>
</tr>
<tr>
<td>Virginia</td>
<td>Marine Corps Support Activity, Savannah</td>
<td>160 Units</td>
<td>$22,354,000</td>
</tr>
<tr>
<td>Italy</td>
<td>Naval Air Station, Sigonella</td>
<td>60 Units</td>
<td>$7,000,000</td>
</tr>
<tr>
<td></td>
<td></td>
<td>10 Units</td>
<td>$2,403,000</td>
</tr>
</tbody>
</table>

Total: $121,847,000

### SEC. 2203. IMPROVEMENTS TO MILITARY FAMILY HOUSING UNITS

Subject to section 2825 of title 10, United States Code, and using amounts appropriated pursuant to the authorization of appropriations in section 2204(a)(5)(A), the Secretary of the Navy may improve existing military family housing units in an amount not to exceed $6,499,000.

### SEC. 2204. AUTHORIZATION OF APPROPRIATIONS, NAVY

(a) IN GENERAL.—Funds are hereby authorized to be appropriated for fiscal years beginning after September 30, 2001, for military construction, land acquisition, and military family housing functions of the Department of the Navy in the total amount of $3,366,742,000, as follows:

(1) For military construction projects inside the United States authorized by section 2201(a), $1,005,410,000.

(2) For military construction projects outside the United States authorized by section 2201(b), $47,670,000.

(3) For unspecified minor construction projects authorized by section 2805 of title 10, United States Code, $10,546,000.

(4) For engineering services and construction design under section 2807 of title 10, United States Code, $39,557,000.

(5) For military family housing functions:

   (A) For construction and acquisition, planning and design, and improvement of military family housing and facilities, $331,780,000.

   (B) For support of military housing (including functions described in section 2833 of title 10, United States Code), $90,085,000.

   (C) For construction of phase 6 of a large anachorotic chamber facility at the Patuxent River Naval Air Warfare Center, Maryland, authorized by section 2201(a) of the Military Construction Authorization Act for Fiscal Year 1993 (division B of Public Law 102-484; 106 Stat. 2590), $10,770,000.

(6) For construction of the Commander-in-Chief Headquarters, Pacific, Honolulu, Hawaii, authorized by section 2201(a) of the Military Construction Authorization Act for Fiscal Year 1993 (division B of Public Law 102-484; 106 Stat. 2590), as amended by section 2206 of this Act, $37,580,000.

(7) For repair of a pier at Naval Station, San Diego, California, authorized by section 2201(a) of the Military Construction Authorization Act for Fiscal Year 2001 (division B of the Army Act; 114 Stat. 1654A-396), $17,500,000.


(9) For replacement of a pier at Naval Station, Everett, Bremerton, Puget Sound, Washington, authorized by section 2201(a) of the Military Construction Authorization Act for Fiscal Year 2001 (division B of the Spence Act; 114 Stat. 1654A-396), as amended by section 2205 of this Act, $14,000,000.

(b) PLANNING AND DESIGN.—Using amounts appropriated pursuant to the authorization of appropriations in section 2204(a)(5)(A), the Secretary of the Navy may carry out architectural and engineering services and construction design activities with respect to the construction or improvement of military family housing units in an amount not to exceed $6,499,000.

### SEC. 2205. LIMITATION ON TOTAL COST OF CONSTRUCTION PROJECTS

Notwithstanding the cost variations authorized by section 2833 of title 10, United States Code, and any other cost variation authorized by law, the total cost of all projects carried out under section 2201 of this Act may not exceed—

(1) the total amount authorized to be appropriated under paragraphs (1) and (2) of subsection (a);

(2) $33,240,000 (the balance of the amount authorized under section 2201(a) for replacement of a pier, increment 1, at Naval Station, Norfolk, Virginia); and

(3) $10,546,000.
(3) $20,100,000 (the balance of the amount authorized under section 220(a) for a combined propulsion and explosives lab at Naval Air Warfare Center, China Lake, California).

(c) ADJUSTMENT.—The total amount authorized pursuant to paragraphs (1) through (10) of subsection (a) is the sum of the amounts authorized to be appropriated in such paragraphs, reduced by $82,626,000, which represents the combination of savings resulting from adjustments to foreign currency exchange rates for military construction, military family housing construction, and military family housing support outside the United States and savings resulting from favorable bids, reduced overhead charges, and cancellations due to force structure changes.

SEC. 2205. MODIFICATION OF AUTHORITY TO CARRY OUT CERTAIN FISCAL YEAR 2001 PROJECTS.

(a) AUTHORIZED CONSTRUCTION AND LAND ACQUISITION.—The table in section 2201(a) of the Military Construction Authorization Act for Fiscal Year 2001 (division B of the Spence Act; 114 Stat. 164A-398) is amended—

(1) in the item relating to Naval Shipyard, Bremerton, Puget Sound, Washington, by striking “$100,740,000” in the amount column and inserting “$102,460,000”;

(2) in the item relating to Naval Station, Bremerton, Washington, by striking “$11,930,000” in the amount column and inserting “$1,930,000”; and

(3) by striking the amount identified as the total in the amount column and inserting “$892,217,000”.

(b) PLANNING AND DESIGN.—Section 2204(a) of that Act (114 Stat. 164A-398) is amended—

(1) in the matter preceding paragraph (1), by striking “$2,227,955” and inserting “$2,206,807,000”;

(2) in paragraph (4), by striking “$73,352,000” and inserting “$53,747,000”;

(c) CONFORMING AMENDMENT.—Section 2204(b)(3) of that Act (114 Stat. 164A-398) is amended by striking “$70,180,000” and inserting “$73,180,000”.

TITLe XXIII—AIR FORCE

SEC. 2301. Authorized Air Force construction and land acquisition projects.

Sec. 2302. Family housing.

Sec. 2303. Improvements to military family housing units.


Sec. 2305. Modification of authority to carry out certain fiscal year 2001 projects.

SEC. 2206. MODIFICATION OF AUTHORITY TO CARRY OUT CERTAIN FISCAL YEAR 2000 PROJECT.

(a) MODIFICATION.—The table in section 2201(a) of the Military Construction Authorization Act for Fiscal Year 2000 (division B of Public Law 106-65; 113 Stat. 620) is amended—

(1) by inserting the following table:

<table>
<thead>
<tr>
<th>State</th>
<th>Installation or location</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Alabama</td>
<td>Maxwell Air Force Base</td>
<td>$34,800,000</td>
</tr>
<tr>
<td>Alaska</td>
<td>Eielson Air Force Base</td>
<td>$4,600,000</td>
</tr>
<tr>
<td>Arizona</td>
<td>Davis-Monthan Air Force Base</td>
<td>$23,500,000</td>
</tr>
<tr>
<td>Arkansas</td>
<td>Little Rock Air Force Base</td>
<td>$7,900,000</td>
</tr>
<tr>
<td>California</td>
<td>Edwards Air Force Base</td>
<td>$10,300,000</td>
</tr>
<tr>
<td>Colorado</td>
<td>Buckley Air Force Base</td>
<td>$23,200,000</td>
</tr>
<tr>
<td>District of Columbia</td>
<td>D.C. Air Force Base</td>
<td>$25,300,000</td>
</tr>
<tr>
<td>Florida</td>
<td>Cape Canaveral Air Force Station</td>
<td>$7,800,000</td>
</tr>
<tr>
<td>Georgia</td>
<td>Tyndall Air Force Base</td>
<td>$30,300,000</td>
</tr>
<tr>
<td>Hawaii</td>
<td>Joint Base Pearl Harbor-Hickam</td>
<td>$46,500,000</td>
</tr>
<tr>
<td>Idaho</td>
<td>Mountain Home Air Force Base</td>
<td>$14,400,000</td>
</tr>
<tr>
<td>Kansas</td>
<td>McConnell Air Force Base</td>
<td>$17,500,000</td>
</tr>
<tr>
<td>Kentucky</td>
<td>Bardwell Air Force Base</td>
<td>$5,300,000</td>
</tr>
<tr>
<td>Louisiana</td>
<td>Stennis Air Force Base</td>
<td>$17,500,000</td>
</tr>
<tr>
<td>Maine</td>
<td>Brunswick Naval Air Station</td>
<td>$4,600,000</td>
</tr>
<tr>
<td>Maryland</td>
<td>Andrews Air Force Base</td>
<td>$19,400,000</td>
</tr>
<tr>
<td>Massachusetts</td>
<td>Hanscom Air Force Base</td>
<td>$10,900,000</td>
</tr>
<tr>
<td>Mississippi</td>
<td>Columbus Air Force Base</td>
<td>$5,000,000</td>
</tr>
<tr>
<td>Montana</td>
<td>Mountain Home AFB</td>
<td>$4,600,000</td>
</tr>
<tr>
<td>Nebraska</td>
<td>Offutt Air Force Base</td>
<td>$24,000,000</td>
</tr>
<tr>
<td>Nevada</td>
<td>Nellis Air Force Base</td>
<td>$31,000,000</td>
</tr>
<tr>
<td>New Jersey</td>
<td>McGuire Air Force Base</td>
<td>$36,350,000</td>
</tr>
<tr>
<td>New Mexico</td>
<td>Cannon Air Force Base</td>
<td>$19,800,000</td>
</tr>
<tr>
<td>North Carolina</td>
<td>Wright-Patterson AFB</td>
<td>$28,250,000</td>
</tr>
<tr>
<td>North Dakota</td>
<td>Grand Forks AFB</td>
<td>$7,800,000</td>
</tr>
<tr>
<td>Ohio</td>
<td>Wright-Patterson Air Force Base</td>
<td>$28,250,000</td>
</tr>
<tr>
<td>Oklahoma</td>
<td>Altus Air Force Base</td>
<td>$20,500,000</td>
</tr>
<tr>
<td>South Carolina</td>
<td>Shaw Air Force Base</td>
<td>$21,400,000</td>
</tr>
<tr>
<td>South Dakota</td>
<td>Ellsworth Air Force Base</td>
<td>$12,300,000</td>
</tr>
<tr>
<td>Tennessee</td>
<td>Arnold Air Force Base</td>
<td>$10,900,000</td>
</tr>
<tr>
<td>Texas</td>
<td>Dyess Air Force Base</td>
<td>$16,800,000</td>
</tr>
<tr>
<td>Utah</td>
<td>Sheppard Air Force Base</td>
<td>$45,200,000</td>
</tr>
<tr>
<td>Virginia</td>
<td>Langley Air Force Base</td>
<td>$47,200,000</td>
</tr>
<tr>
<td>Washington</td>
<td>Fairchild Air Force Base</td>
<td>$2,800,000</td>
</tr>
<tr>
<td>Wyoming</td>
<td>F. E. Warren Air Force Base</td>
<td>$20,700,000</td>
</tr>
</tbody>
</table>

(b) CONFORMING AMENDMENT.—Section 2204(b)(3) of that Act (113 Stat. 831) is amended by striking “$70,180,000” and inserting “$73,180,000”.

TITLe XXIII—AIR FORCE

SEC. 2201. Authorized Air Force construction and land acquisition projects.

(a) INSIDE THE UNITED STATES.—Using amounts appropriated pursuant to the authorization of appropriations in section 2204(a)(11), the Secretary of the Air Force may acquire real property and carry out military construction projects for the installations and locations inside the United States, and in the amounts, set forth in the following table:

<table>
<thead>
<tr>
<th>State</th>
<th>Installation or location</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Alabama</td>
<td>Maxwell Air Force Base</td>
<td>$34,800,000</td>
</tr>
<tr>
<td>Alaska</td>
<td>Eielson Air Force Base</td>
<td>$4,600,000</td>
</tr>
<tr>
<td>Arizona</td>
<td>Davis-Monthan Air Force Base</td>
<td>$23,500,000</td>
</tr>
<tr>
<td>Arkansas</td>
<td>Little Rock Air Force Base</td>
<td>$7,900,000</td>
</tr>
<tr>
<td>California</td>
<td>Edwards Air Force Base</td>
<td>$10,300,000</td>
</tr>
<tr>
<td>Colorado</td>
<td>Buckley Air Force Base</td>
<td>$23,200,000</td>
</tr>
<tr>
<td>District of Columbia</td>
<td>D.C. Air Force Base</td>
<td>$25,300,000</td>
</tr>
<tr>
<td>Florida</td>
<td>Cape Canaveral Air Force Station</td>
<td>$7,800,000</td>
</tr>
<tr>
<td>Georgia</td>
<td>Tyndall Air Force Base</td>
<td>$30,300,000</td>
</tr>
<tr>
<td>Hawaii</td>
<td>Joint Base Pearl Harbor-Hickam</td>
<td>$46,500,000</td>
</tr>
<tr>
<td>Idaho</td>
<td>Mountain Home Air Force Base</td>
<td>$14,400,000</td>
</tr>
<tr>
<td>Kansas</td>
<td>McConnell Air Force Base</td>
<td>$17,500,000</td>
</tr>
<tr>
<td>Kentucky</td>
<td>Bardwell Air Force Base</td>
<td>$5,300,000</td>
</tr>
<tr>
<td>Louisiana</td>
<td>Stennis Air Force Base</td>
<td>$17,500,000</td>
</tr>
<tr>
<td>Maine</td>
<td>Brunswick Naval Air Station</td>
<td>$4,600,000</td>
</tr>
<tr>
<td>Maryland</td>
<td>Andrews Air Force Base</td>
<td>$19,400,000</td>
</tr>
<tr>
<td>Massachusetts</td>
<td>Hanscom Air Force Base</td>
<td>$10,900,000</td>
</tr>
<tr>
<td>Mississippi</td>
<td>Columbus Air Force Base</td>
<td>$5,000,000</td>
</tr>
<tr>
<td>Montana</td>
<td>Mountain Home AFB</td>
<td>$4,600,000</td>
</tr>
<tr>
<td>Nebraska</td>
<td>Offutt Air Force Base</td>
<td>$24,000,000</td>
</tr>
<tr>
<td>Nevada</td>
<td>Nellis Air Force Base</td>
<td>$31,000,000</td>
</tr>
<tr>
<td>New Jersey</td>
<td>McGuire Air Force Base</td>
<td>$36,350,000</td>
</tr>
<tr>
<td>New Mexico</td>
<td>Cannon Air Force Base</td>
<td>$19,800,000</td>
</tr>
<tr>
<td>North Carolina</td>
<td>Wright-Patterson AFB</td>
<td>$28,250,000</td>
</tr>
<tr>
<td>North Dakota</td>
<td>Grand Forks AFB</td>
<td>$7,800,000</td>
</tr>
<tr>
<td>Ohio</td>
<td>Wright-Patterson Air Force Base</td>
<td>$28,250,000</td>
</tr>
<tr>
<td>Oklahoma</td>
<td>Altus Air Force Base</td>
<td>$20,500,000</td>
</tr>
<tr>
<td>South Carolina</td>
<td>Shaw Air Force Base</td>
<td>$21,400,000</td>
</tr>
<tr>
<td>South Dakota</td>
<td>Ellsworth Air Force Base</td>
<td>$12,300,000</td>
</tr>
<tr>
<td>Tennessee</td>
<td>Arnold Air Force Base</td>
<td>$10,900,000</td>
</tr>
<tr>
<td>Texas</td>
<td>Dyess Air Force Base</td>
<td>$16,800,000</td>
</tr>
<tr>
<td>Utah</td>
<td>Sheppard Air Force Base</td>
<td>$45,200,000</td>
</tr>
<tr>
<td>Virginia</td>
<td>Langley Air Force Base</td>
<td>$47,200,000</td>
</tr>
<tr>
<td>Washington</td>
<td>Fairchild Air Force Base</td>
<td>$2,800,000</td>
</tr>
<tr>
<td>Wyoming</td>
<td>F. E. Warren Air Force Base</td>
<td>$20,700,000</td>
</tr>
</tbody>
</table>

Total | $691,270,000 |

(b) OUTSIDE THE UNITED STATES.—Using amounts appropriated pursuant to the authorization of appropriations in section 2204(a)(2), the Secretary of the Air Force may acquire real property and carry out military construction projects for the installations and locations outside the United States, and in the amounts, set forth in the following table:

<table>
<thead>
<tr>
<th>Country</th>
<th>Installation or location</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Germany</td>
<td>Ramstein Air Force Base</td>
<td>$42,900,000</td>
</tr>
<tr>
<td>Guam</td>
<td>Andersen Air Force Base</td>
<td>$8,700,000</td>
</tr>
<tr>
<td>Italy</td>
<td>Aviano Air Base</td>
<td>$31,800,000</td>
</tr>
<tr>
<td>Korea</td>
<td>Kunsan Air Base</td>
<td>$12,000,000</td>
</tr>
<tr>
<td>Oman</td>
<td>Masirah</td>
<td>$8,000,000</td>
</tr>
<tr>
<td>Location</td>
<td>Installation or location</td>
<td>Purpose</td>
</tr>
<tr>
<td>--------------------------</td>
<td>--------------------------</td>
<td>---------</td>
</tr>
<tr>
<td>Unspecified Worldwide</td>
<td>Classified Location</td>
<td></td>
</tr>
</tbody>
</table>

**Air Force: Family Housing**

<table>
<thead>
<tr>
<th>State</th>
<th>Installation or location</th>
<th>Purpose</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Arizona</td>
<td>Luke Air Force Base</td>
<td>120 Units</td>
<td>$15,712,000</td>
</tr>
<tr>
<td>California</td>
<td>Travis Air Force Base</td>
<td>118 Units</td>
<td>$18,150,000</td>
</tr>
<tr>
<td>Colorado</td>
<td>Buckley Air Force Base</td>
<td>55 Units</td>
<td>$11,400,000</td>
</tr>
<tr>
<td>Delaware</td>
<td>Dover Air Force Base</td>
<td>120 Units</td>
<td>$15,145,000</td>
</tr>
<tr>
<td>District of Columbia</td>
<td>Boeing Air Force Base</td>
<td>136 Units</td>
<td>$16,926,000</td>
</tr>
<tr>
<td>Hawaii</td>
<td>Hickam Air Force Base</td>
<td>102 Units</td>
<td>$25,037,000</td>
</tr>
<tr>
<td>Idaho</td>
<td>Mountain Home Air Force Base</td>
<td>56 Units</td>
<td>$10,000,000</td>
</tr>
<tr>
<td>Louisiana</td>
<td>Barksdale Air Force Base</td>
<td>56 Units</td>
<td>$7,300,000</td>
</tr>
<tr>
<td>South Dakota</td>
<td>Ellsworth Air Force Base</td>
<td>78 Units</td>
<td>$13,700,000</td>
</tr>
<tr>
<td>Virginia</td>
<td>Langley Air Force Base</td>
<td>4 Units</td>
<td>$1,200,000</td>
</tr>
<tr>
<td>Portugal</td>
<td>Lajes Field, Azores</td>
<td>64 Units</td>
<td>$13,230,000</td>
</tr>
<tr>
<td></td>
<td>Total:</td>
<td></td>
<td>$150,800,000</td>
</tr>
</tbody>
</table>

(b) **Planning and Design.**—Using amounts appropriated pursuant to the authorization of appropriations in section 2304(a)(6)(A), the Secretary of the Air Force may construct or acquire family housing units (including land acquisition) at the installations, for the purposes and in the amounts set forth in the following table:

<table>
<thead>
<tr>
<th>Country</th>
<th>Installation or location</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Turkey</td>
<td>Eskisehir</td>
<td>$4,000,000</td>
</tr>
<tr>
<td>United Kingdom</td>
<td>Royal Air Force, Lakenheath</td>
<td>$5,500,000</td>
</tr>
<tr>
<td></td>
<td>Royal Air Force, Mildenhall</td>
<td>$11,300,000</td>
</tr>
<tr>
<td>Wake Island</td>
<td>Wake Island</td>
<td>$22,400,000</td>
</tr>
<tr>
<td></td>
<td>Total:</td>
<td>$53,696,000</td>
</tr>
</tbody>
</table>

(c) **Unspecified Worldwide.**—Using the amounts appropriated pursuant to the authorization of appropriations in section 2304(a)(3), the Secretary of the Air Force may acquire real property and carry out military construction projects for the installation and location, and in the amount, set forth in the following table:

<table>
<thead>
<tr>
<th>Location</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Wake Island</td>
<td>$25,000,000</td>
</tr>
<tr>
<td>Incirlik</td>
<td>$5,500,000</td>
</tr>
<tr>
<td>Royal Air Force, Lakenheath</td>
<td>$11,300,000</td>
</tr>
<tr>
<td>Royal Air Force, Mildenhall</td>
<td>$22,400,000</td>
</tr>
<tr>
<td>Wake Island</td>
<td>$53,696,000</td>
</tr>
<tr>
<td>Total:</td>
<td>$82,892,000</td>
</tr>
</tbody>
</table>

**SEC. 2302. FAMILY HOUSING.**

(a) **Construction and Acquisition.**—Using amounts appropriated pursuant to the authorization of appropriations in section 2304(a)(6)(A), the Secretary of the Air Force may carry out architectural and engineering services and construction design activities with respect to the construction or improvement of military family housing units in an amount not to exceed $24,558,000.

(b) **Planning and Design.**—Using amounts appropriated pursuant to the authorization of appropriations in section 2304(a)(6)(A), the Secretary of the Air Force may improve existing military family housing units in an amount not to exceed $375,345,000.

**SEC. 2304. AUTHORIZATION OF APPROPRIATIONS, AIR FORCE.**

(a) **In General.**—Funds are hereby authorized to be appropriated for fiscal years beginning after September 30, 2001, for military construction, land acquisition, and military family housing functions of the Department of the Air Force in the total amount of $2,573,122,000, as follows:

1. For military construction projects inside the United States authorized by section 2301(a), $879,270,000.
2. For military construction projects outside the United States authorized by section 2301(b), $223,392,000.
3. For a military construction project at an unspecified worldwide location authorized by section 2301(c), $4,458,000.
4. For unspecified minor construction projects authorized by section 2305 of title 10, United States Code, $11,250,000.
5. For architectural and engineering services and construction design under section 2807 of title 10, United States Code, $94,970,000.
6. For military housing functions:
   - (A) For construction and acquisition, planning and design, and improvement of military family housing and facilities, $550,702,000.
   - (B) For support of military family housing (including functions described in section 2833 of title 10, United States Code), $844,715,000.
7. For construction of an airfield runway at Wake Island; and
8. From adjustments to foreign currency exchange rates for military construction, military family housing construction, and military family housing support outside the United States and savings resulting from favorable bids, reduced overhead charges, and cancellations due to force structure changes.

**SEC. 2304. MODIFICATION OF AUTHORITY TO CARRY OUT CERTAIN FISCAL YEAR 2001 PROJECTS.**

(a) **McGuire Air Force Base.**—The table in section 2301(a) of the Military Construction Authorization Act for Fiscal Year 2001 (division B of the Spence Act; 114 Stat. 1654A–399), as amended by section 2305 of this Act, is amended—

1. In the item relating to McGuire Air Force Base, New Jersey, by striking "$29,772,000" and inserting "$32,972,000"; and
2. By striking the amount identified as the total in the amount column and inserting "$748,955,000".

(b) **Mountain Home Air Force Base.**—The table in section 2301(a) of that Act (114 Stat. 1654A–400) is amended in the item relating to Mountain Home Air Force Base, Idaho, by striking "119 Units" in the purpose column and inserting "46 Units".

(c) **Conforming Amendment.**—Section 2304(b)(2) of that Act (114 Stat. 1654A–402) is amended by striking "$8,400,000" and inserting "$12,600,000".

**TITLE XXIV—DEFENSE AGENCIES**

Sec. 2401. Authorized Defense Agencies construction and land acquisition projects.
Sec. 2402. Energy conservation projects.
Sec. 2404. Cancellation of authority to carry out certain fiscal year 2001 projects.
Sec. 2405. Modification of authority to carry out certain fiscal year 2000 projects.

Sec. 2406. Modification of authority to carry out certain fiscal year 1999 project.
Sec. 2407. Modification of authority to carry out certain fiscal year 1995 projects.
Sec. 2408. Prohibition on expenditures to develop forward operating location on Aruba.

Defense Agencies: Inside the United States

<table>
<thead>
<tr>
<th>Agency</th>
<th>Installation or location</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Defense Education Activity</td>
<td>Laurel, South Carolina</td>
<td>$12,850,000</td>
</tr>
<tr>
<td>Marine Corps Base, Camp Lejeune, North Carolina</td>
<td></td>
<td>$8,857,000</td>
</tr>
<tr>
<td>Defense Distribution Depot Tracy, California</td>
<td></td>
<td>$5,000,000</td>
</tr>
<tr>
<td>Defense Distribution New Cumberland, Pennsylvania</td>
<td></td>
<td>$5,866,000</td>
</tr>
<tr>
<td>Eielson Air Force Base, Alaska</td>
<td></td>
<td>$8,800,000</td>
</tr>
<tr>
<td>Fort Belvoir, Virginia</td>
<td></td>
<td>$900,000</td>
</tr>
<tr>
<td>Grand Forks Air Force Base, North Dakota</td>
<td></td>
<td>$9,110,000</td>
</tr>
<tr>
<td>Hickam Air Force Base, Hawaii</td>
<td></td>
<td>$29,200,000</td>
</tr>
<tr>
<td>McGuire Air Force Base, New Jersey</td>
<td></td>
<td>$4,400,000</td>
</tr>
<tr>
<td>Minot Air Force Base, North Dakota</td>
<td></td>
<td>$4,000,000</td>
</tr>
<tr>
<td>Philadelphia, Pennsylvania, Pennsylvania</td>
<td></td>
<td>$2,429,000</td>
</tr>
<tr>
<td>Pope Air Force Base, North Carolina</td>
<td></td>
<td>$3,400,000</td>
</tr>
<tr>
<td>Aberdeen Proving Ground, Maryland</td>
<td></td>
<td>$1,300,000</td>
</tr>
<tr>
<td>CONUS Classified</td>
<td></td>
<td>$2,400,000</td>
</tr>
<tr>
<td>Fort Benning, Georgia</td>
<td></td>
<td>$5,100,000</td>
</tr>
<tr>
<td>Fort Bragg, North Carolina</td>
<td></td>
<td>$3,562,000</td>
</tr>
<tr>
<td>Fort Lewis, Washington</td>
<td></td>
<td>$6,900,000</td>
</tr>
<tr>
<td>Hurlburt Field, Florida</td>
<td></td>
<td>$13,400,000</td>
</tr>
<tr>
<td>Maxwell Air Force Base, Florida</td>
<td></td>
<td>$12,000,000</td>
</tr>
<tr>
<td>Naval Station, San Diego, California</td>
<td></td>
<td>$13,650,000</td>
</tr>
<tr>
<td>Andrews Air Force Base, Maryland</td>
<td></td>
<td>$10,230,000</td>
</tr>
<tr>
<td>Dyess Air Force Base, Texas</td>
<td></td>
<td>$3,300,000</td>
</tr>
<tr>
<td>Fuel Distribution Center, Fort Worth, Texas</td>
<td></td>
<td>$2,700,000</td>
</tr>
<tr>
<td>Fort Hood, Texas</td>
<td></td>
<td>$12,300,000</td>
</tr>
<tr>
<td>Fort Stewart/Hunter Army Air Field, Georgia</td>
<td></td>
<td>$11,000,000</td>
</tr>
<tr>
<td>Holloman Air Force Base, New Mexico</td>
<td></td>
<td>$12,000,000</td>
</tr>
<tr>
<td>Hurlburt Field, Florida</td>
<td></td>
<td>$8,400,000</td>
</tr>
<tr>
<td>Marine Corps Base, Camp Pendleton, California</td>
<td></td>
<td>$15,300,000</td>
</tr>
<tr>
<td>Marine Corps Logistics Base, Albany, Georgia</td>
<td></td>
<td>$5,800,000</td>
</tr>
<tr>
<td>Naval Air Station, Whidbey Island, Washington</td>
<td></td>
<td>$6,600,000</td>
</tr>
<tr>
<td>Naval Hospital, Guantanamo, California</td>
<td></td>
<td>$1,600,000</td>
</tr>
<tr>
<td>Naval Station, Mayport, Florida</td>
<td></td>
<td>$24,000,000</td>
</tr>
<tr>
<td>Naval Station, Norfolk, Virginia</td>
<td></td>
<td>$21,000,000</td>
</tr>
<tr>
<td>Sheppard Air Force Base, Colorado</td>
<td></td>
<td>$4,000,000</td>
</tr>
<tr>
<td>Pentagon Reservation, Virginia</td>
<td></td>
<td>$5,100,000</td>
</tr>
</tbody>
</table>

Washington Headquarters Services

<table>
<thead>
<tr>
<th>Agency</th>
<th>Installation or location</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>TRICARE Management Activity</td>
<td>...................................................................</td>
<td>$391,300,000</td>
</tr>
</tbody>
</table>

(b) OUTSIDE THE UNITED STATES.—Using amounts appropriated pursuant to the authorization of appropriations in section 2403(a)(2), the Secretary of Defense may acquire real property and carry out military construction projects for the installations and locations outside the United States, and in the amounts, set forth in the following table:

Defense Agencies: Outside the United States

<table>
<thead>
<tr>
<th>Agency</th>
<th>Installation or location</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Defense Education Activity</td>
<td>Avezzano Air Base, Italy</td>
<td>$3,647,000</td>
</tr>
<tr>
<td>Girgenti Air Base, Germany</td>
<td></td>
<td>$1,500,000</td>
</tr>
<tr>
<td>Heidelberg, Germany</td>
<td></td>
<td>$3,120,000</td>
</tr>
<tr>
<td>Kreiselschützen, Germany</td>
<td></td>
<td>$1,490,000</td>
</tr>
<tr>
<td>Kitzingen, Germany</td>
<td></td>
<td>$1,394,000</td>
</tr>
<tr>
<td>Landstuhl, Germany</td>
<td></td>
<td>$1,444,000</td>
</tr>
<tr>
<td>Ramstein Air Force Base, Germany</td>
<td></td>
<td>$2,814,000</td>
</tr>
<tr>
<td>Rafael Air Force Base, United Kingdom</td>
<td></td>
<td>$2,322,000</td>
</tr>
<tr>
<td>Vogelsang, Germany</td>
<td></td>
<td>$1,558,000</td>
</tr>
<tr>
<td>Wiesbaden Air Base, Germany</td>
<td></td>
<td>$1,378,000</td>
</tr>
<tr>
<td>Waalwijk, Germany</td>
<td></td>
<td>$1,984,000</td>
</tr>
<tr>
<td>Camp Casey, Korea</td>
<td></td>
<td>$5,300,000</td>
</tr>
<tr>
<td>Naval Station, Rota, Spain</td>
<td></td>
<td>$3,000,000</td>
</tr>
<tr>
<td>Yokota Air Base, Japan</td>
<td></td>
<td>$5,000,000</td>
</tr>
<tr>
<td>Comalapa Air Base, El Salvador</td>
<td></td>
<td>$12,377,000</td>
</tr>
<tr>
<td>Heidelberg, Germany</td>
<td></td>
<td>$28,000,000</td>
</tr>
<tr>
<td>Lajes Field, Azores, Portugal</td>
<td></td>
<td>$7,700,000</td>
</tr>
<tr>
<td>Thule, Greenland</td>
<td></td>
<td>$10,800,000</td>
</tr>
</tbody>
</table>

Total: $140,162,000

SEC. 2402. ENERGY CONSERVATION PROJECTS.

Using amounts appropriated pursuant to the authorization of appropriations in section 2403(a)(6), the Secretary of Defense may carry out energy conservation projects under section 2865 of title 10, United States Code, in the amount of $27,100,000.

SEC. 2403. AUTHORIZATION OF APPROPRIATIONS, DEFENSE AGENCIES.

(a) In GENERAL.—Funds are hereby authorized to be appropriated for fiscal years beginning after September 30, 2001, for military construction, land acquisition, and military family housing functions of the Department of Defense (other than the military departments), in the total amount of $1,481,208,000, as follows:

(1) For military construction projects inside the United States authorized by section 2401(a), $391,300,000.
(2) For military construction projects outside the United States authorized by section 2401(a), $140,162,000.
(3) For unspecified minor construction projects under section 2865 of title 10, United States Code, $24,492,000.
(4) For contingency construction projects of the Secretary of Defense under section 2004 of title 10, United States Code, $10,000,000.
(5) For architectural and engineering services and construction design under section 2807 of title 10, United States Code, $54,496,000.
(6) For energy conservation projects authorized by section 2402, $27,100,000.
(8) For military family housing functions:
   (A) For improvement of military family housing and facilities, $220,000,000.
   (B) For support of military family housing (including functions described in section 2833 of title 10, United States Code, $41,762,000, of which not more than $31,200,000 may be obligated or expended for the leasing of military family housing units worldwide.
   (C) For credit to the Department of Defense Family Housing Improvement Fund established by section 2883(a)(1) of title 10, United States Code, $2,000,000.

For the construction of phase 6 of an ammunition demilitarization facility at Pine Bluff Arsenal, Arkansas, authorized by section...

(2) by striking the amount identified as the total in the amount column and inserting $711,950,000.

(b) TREATMENT OF AUTHORIZATION OF APPROPRIATIONS FOR CANCELED WIDEBASE—(1) Section 2408 of the Military Construction Authorization Act for Fiscal Year 1999 (division B of Public Law 106–101, 113 Stat. 833) is amended—

(1) in subsection (a) (1) by inserting ‘‘in the amount column and inserting ‘$232,380,000’’; and

(2) in subsection (b), by inserting ‘‘in the amount column and inserting ‘$232,380,000’’; and

(3) in subsection (c), by striking ‘‘$17,575,000’’.

(c) CONFORMING AMENDMENTS.—Section 2405(b) of that Act (113 Stat. 839) is amended by striking ‘‘in the amount column and inserting ‘$158,000,000’’; and

(2) in paragraph (3), by striking ‘‘in the amount column and inserting ‘$232,380,000’’.

SEC. 2406. MODIFICATION OF AUTHORITY TO CARRY OUT CERTAIN FISCAL YEAR 1999 PROJECT.

(a) MODIFICATION.—The table in section 2401(a) of the Military Construction Authorization Act for Fiscal Year 1999 (division B of Public Law 106–101, 112 Stat. 2193), and paragraph (1) of that section, $14,150,000 shall be available for purposes relating to construction of the Portsmouth Naval Hospital, Virginia, as authorized by section 2401(a) of the Military Construction Authorization Act for Fiscal Years 1996 and 1997 (division B of Public Law 104–106, 110 Stat. 352), and section 2406 of the Military Construction Authorization Act for Fiscal Year 1999 (division B of Public Law 106–101, 113 Stat. 837), as amended by section 2401 of this Act, $25,000,000.


(1) IN GENERAL.—There are authorized to be appropriated in the amount column and inserting ‘$232,380,000’.

(2) CANCELLATION OF PROJECTS AT UNSPECIFIED WORLDWIDE LOCATIONS.—Section 2401(c) of that Act (113 Stat. 844–45) is amended by striking ‘‘in the amount column and inserting ‘$30,065,000’’.

(c) TREATMENT OF AUTHORIZATION OF APPROPRIATIONS FOR CANCELED PROJECTS.—Of the amount authorized to be appropriated by section 2401(a) of that Act (114 Stat. 644–45), and paragraph (1) of that section, $14,150,000 shall be available for purposes relating to construction of the Portsmouth Naval Hospital, Virginia, as authorized by section 2401(a) of the Military Construction Authorization Act for Fiscal Years 1996 and 1997 (division B of Public Law 104–106, 110 Stat. 352), section 2408 of the Military Construction Authorization Act for Fiscal Year 1998 (division B of Public Law 105–261, 112 Stat. 2192), and section 2406 of the Military Construction Authorization Act for Fiscal Year 1999 (division B of Public Law 106–101, 113 Stat. 839), as amended by section 2401 of this Act, $25,000,000.

(d) MODIFICATION.—The table in section 2401(a) of the Military Construction Authorization Act for Fiscal Year 1999 (division B of Public Law 106–101, 112 Stat. 2193), and paragraph (1) of that section, $4,700,000 shall be available for purposes relating to construction of the Naval Station, Panama, as authorized by section 2401(a) of the Military Construction Authorization Act for Fiscal Years 1995 and 1996 (division B of Public Law 104–137, 110 Stat. 1640), reduced by the total amount authorized to be appropriated under paragraphs (1) and (2) of subsection (a).
Sec. 2703. Extension of authorizations of certain fiscal year 1998 projects.

Sec. 2704. Effective date.

**SEC. 2701. EXPIRATION OF AUTHORIZATIONS AND AMOUNTS REQUIRED TO BE SPECIFIED BY LAW.**

(a) EXPIRATION OF AUTHORIZATIONS AFTER THREE YEARS.—Except as provided in subsection (b), all authorizations contained in titles XXI through XXVI for military construction projects, land acquisition, family housing projects and facilities, and contributions to the North Atlantic Treaty Organization Security Investment program (and authorizations of appropriations therefor) shall expire on the later of—

(1) October 1, 2004; or

(2) the date of the enactment of an Act authorizing funds for military construction for fiscal year 2005.

(b) EXCEPTION.—Subsection (a) shall not apply to authorizations for military construction projects, land acquisition, family housing projects and facilities, and contributions to the North Atlantic Treaty Organization Security Investment program (and authorizations of appropriations therefor) for which appropriated funds have been obligated before the later of—

(1) October 1, 2004; or

(2) the date of the enactment of an Act authorizing funds for fiscal year 2005 for military construction projects, land acquisition, family housing projects and facilities, or contributions to the North Atlantic Treaty Organization Security Investment program.

**SEC. 2702. EXTENSION OF AUTHORIZATIONS OF CERTAIN FISCAL YEAR 1999 PROJECTS.**

(a) EXTENSION.—Notwithstanding section 2701 of the Military Construction Authorization Act for Fiscal Year 1999 (division B of Public Law 105-85; 111 Stat. 1984), authorizations set forth in the tables in subsection (b), as provided in section 2102, 2202, or 2302 of that Act and extended by section 2703 of the Military Construction Authorization Act for Fiscal Year 2001 (division B of Public Law 106-281; 112 Stat. 2199), authorizations set forth in the tables in subsection (b), as provided in section 2302 or 2601 of that Act, shall remain in effect until October 1, 2002, or the date of the enactment of an Act authorizing funds for military construction for fiscal year 2003, whichever is later.

(b) TABLES.—The tables referred to in subsection (a) are as follows:

<table>
<thead>
<tr>
<th>Air Force: Extension of 1999 Project Authorizations</th>
</tr>
</thead>
<tbody>
<tr>
<td>State</td>
</tr>
<tr>
<td>Delaware</td>
</tr>
<tr>
<td>Florida</td>
</tr>
<tr>
<td>New Mexico</td>
</tr>
<tr>
<td>Ohio</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Army National Guard: Extension of 1999 Project Authorizations</th>
</tr>
</thead>
<tbody>
<tr>
<td>State</td>
</tr>
<tr>
<td>Massachusetts</td>
</tr>
<tr>
<td>South Carolina</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Navy: Extension of 1998 Project Authorizations</th>
</tr>
</thead>
<tbody>
<tr>
<td>State</td>
</tr>
<tr>
<td>California</td>
</tr>
<tr>
<td>California</td>
</tr>
<tr>
<td>Louisiana</td>
</tr>
<tr>
<td>Texas</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>State</td>
</tr>
<tr>
<td>New Mexico</td>
</tr>
</tbody>
</table>

**SEC. 2704. EFFECTIVE DATE.**

Titles XXI, XXII, XXIII, XXIV, XXV, and XXVI shall take effect on the later of—

(1) October 1, 2001; or

(2) the date of the enactment of this Act.

**TITLES XXV AND XXVI—GENERAL PROVISIONS**

**Subtitle A—Military Construction Program and Military Family Housing Changes**

Sec. 2801. Increase in thresholds for certain unspecified minor military construction projects.

Sec. 2802. Exclusion of unforeseen environmental hazard remediation from limitation on authorized cost variations.

Sec. 2803. Repeal of annual reporting requirement on military construction and military family housing activities.

Sec. 2804. Funds for housing allowances of members assigned to military family housing under alternative authority for acquisition and improvement of military housing.

Sec. 2805. Extension of alternative authority for acquisition and improvement of military housing.

Sec. 2806. Treatment of financing costs as allowable expenses under contracts for utility services from utility systems conveyed under privatization initiative.

**Subtitle B—Real Property and Facilities Administration**

Sec. 2811. Use of military installations for certain recreational activities.
Sec. 2812. Availability of proceeds of sales of Department of Defense property from certain closed military installations.

Sec. 2813. Pilot program to provide additional tools for efficient operation of military installations.

Sec. 2814. Demonstration program on reduction in long-term facility maintenance costs.

Sec. 2815. Base efficiency project at Brooks Air Force Base, Texas.

Subtitle C—Implementation of Prior Base Closure and Realignment Rounds

Sec. 2821. Lease back of base closure property.

Subtitle D—Land Conveyances

Part I—Army Conveyances

Sec. 2831. Land conveyance, Whittier-Anchor- age Pipeline Tank Farm, Anchorage, Alaska.

Sec. 2832. Lease authority, Fort DeRussy, Hawaii.

Sec. 2833. Modification of land exchange, Rock Island Arsenal, Illinois.

Sec. 2834. Land conveyance, Fort Des Moines, Iowa.

Sec. 2835. Modification of land conveyances, Fort Dix, New Jersey.

Sec. 2836. Land conveyance, Engineer Proving Ground, Fort Belvoir, Virginia.

Sec. 2837. Land exchange and consolidation, Fort Lewis, Washington.

Sec. 2838. Land conveyance, Army Reserve Center, Camp Perry, Ohio.

Part II—Navy Conveyances

Sec. 2841. Transfer of jurisdiction, Centerville Beach Naval Station, Humboldt County, California.

Sec. 2842. Land conveyance, Fort of Long Beach, California.

Sec. 2843. Conveyance of pier, Naval Base, San Diego, California.

Sec. 2844. Modification of authority for conveyance of Naval Computer and Telecommunications Station, Cutler, Maine.

Sec. 2845. Land transfer and conveyance, Naval Security Group Activity, Winter Harbor, Maine.

Sec. 2846. Land acquisition, Poughkeepsie County, New York.

Sec. 2847. Land conveyance, Naval Weapons Industrial Reserve Plant, Toledo, Ohio.

Sec. 2848. Modification of land conveyance, former United States Marine Corps Air Station, Eagle Mountain, Texas.

Part III—Air Force Conveyances

Sec. 2851. Conveyance of aviation easements, former Norton Air Force Base, California.

Sec. 2852. Recommissioning of land conveyance, Lovary Air Force Base, Colorado.

Sec. 2853. Water rights conveyance, Andersen Air Force Base, Guam.

Sec. 2854. Conveyance of segment of Loring petroleum pipeline, Maine, and related easements.

Sec. 2855. Land conveyance, petroleum terminal serving former Loring Air Force Base and Bangor Air National Guard Base, Maine.

Sec. 2856. Land conveyances, certain former Minuteman III ICBM facilities in North Dakota.

Sec. 2857. Land conveyances, Charleston Air Force Base, South Carolina.

Sec. 2858. Transfer of jurisdiction, Mukilteo Naval Base, Washington.

Subtitle E—Other Matters

Sec. 2861. Management of the Presidio of San Francisco.

Sec. 2862. Transfer of jurisdiction for development of Air Force morale, welfare, and recreation facility, Park City, Utah.


Sec. 2864. Establishment of memorial to victims of terrorist attack on Pentagon Reservation, Department to accept monetary contributions for memorial and repair of Pentagon.

Sec. 2865. Repayment of federal share of cost of renovation of Pentagon Reservation.

Sec. 2866. Development of United States Army Heritage and Education Center at Gettysburg, Pennsylvania.

Sec. 2867. Effect of limitation on construction of roads or highways, Marine Corps Base, Camp Pendleton, California.

Sec. 2868. Establishment of World War II memorial at additional location on Guam.

Sec. 2869. Demonstration project for purchase of fire, security, police, public works, and utility services from private sector.

Sec. 2870. Report on future land needs of United States Military Academy, New York, and adjacent communities.

Sec. 2871. Naming of Patricia C. Lamar Army National Guard Readiness Center, Oxford, Mississippi.

Subtitle A—Military Construction Program and Military Family Housing Changes

Sec. 2891. Increase in thresholds for certain unreserved minor military construction projects.

(a) Projects requiring advance approval of Secretary concerned.—Subsection (b)(1) of section 2891 of title 10, United States Code, is amended by striking "$500,000" and inserting "$750,000".

(b) Projects using amounts for operation and maintenance.—Subsection (c)(1) of that section is amended—(1) in subparagraph (A), by striking "$1,000,000" and inserting "$1,500,000"; and (2) in subparagraph (B), by striking "$500,000" and inserting "$750,000".

Sec. 2892. Exclusion of unforeseen environmental remediation from limitation on authorized cost variations.

(a) In general.—Subsection (d) of section 2853 of title 10, United States Code, is amended to read as follows:

2. The costs associated with the required remediation of an environmental hazard in connection with a military construction project or military family housing project, such as asbestos removal, radon abatement, lead-based paint removal or abatement, or any other legally required environmental hazard remediation, if the required remediation could not have reasonably been anticipated at the time the project was approved originally by Congress.

Sec. 2893. Repeal of annual reporting requirement for military construction and military family housing activities.

(a) Repeal.—Section 2861 of title 10, United States Code, is repealed.

(b) Clerical amendment.—The table of sections at the beginning of subchapter III of chapter 169 of such title is amended by striking the item relating to section 2893.

Sec. 2894. Funds for housing allowances of members assigned to certain military family housing units

(a) Authority to transfer funds to cover housing allowances.—(1) The Secretary of Defense may transfer the amount determined under subsection (b) with respect to such housing to provide for support of military housing for the armed force concerned for that fiscal year to appropriations available for pay and allowances of military personnel of that same armed force for that same fiscal year.

(b) Amount transferred.—The total amount authorized to be transferred under subsection (a) in connection with a contract under this subchapter may not exceed an amount equal to any additional amounts payable during the fiscal year in which the contract is awarded to members of the armed forces assigned to the acquired or constructed housing units as basic allowances for subsistence for the fiscal year under section 37 that would not otherwise have been payable to such members if not for assignment to such housing units.

(c) Transfers subject to appropriation.—The transfer of the amount provided under subsection (a) is subject to the terms and conditions of such appropriation.

Sec. 2895. Extension of alternative authority for and improvement of military housing.

Sec. 2896. Treatment of financing costs as allowable expenses for defense contracts for utility services from utility systems conveyed under privatization initiative.

(a) Evaluation of Federal acquisition regulation.—The Secretary of Defense shall conduct an evaluation of the Federal Acquisition Regulation to determine whether or not it is advisable to modify the Federal Acquisition Regulation to provide for utility services from a utility system conveyed under section 2684(a) of title 10, United States Code, may include terms and conditions that recognize financing costs, such as equity and interest on debt, as an allowable expense when incurred by the conveyee of the utility system to acquire, operate, renovate, replace, upgrade, repair, or expand the utility system. The Secretary shall complete the evaluation not later than 90 days after the date of the enactment of this Act.

(b) Submission of recommendation to Federal Acquisition Regulatory Council.—If the Secretary determines under subsection (a) that it is advisable to modify the Federal Acquisition Regulation to provide that a contract described in such subsection may include terms and conditions described in such subsection, the Secretary shall submit the recommendation to the Federal Acquisition Regulatory Council together with a recommendation.
SEC. 2813. PILOT PROGRAM TO PROVIDE ADDITIONAL TOOLS FOR EFFICIENT OPERATION OF MILITARY INSTALLATIONS.

(a) INITIATIVE AUTHORIZED.—The Secretary of Defense may carry out a pilot program (to be known as the “Pilot Efficient Facilities Initiative”) for purposes of determining the potential for increasing the efficiency and effectiveness of the operation of military installations.

(b) DESIGNATION OF PARTICIPATING MILITARY INSTALLATIONS.—The Secretary of Defense may designate up to two military installations of each military department for participation in the Initiative.

(c) Waiver Authority.—(1) In subsection (b), by striking “(b)” and inserting “(e) REGULATIONS.—” and transferring the subsection to the end of the section; and

(2) by inserting after subsection (a) the following new subsection (b):

(“b) Waiver Authority.—(1) The Secretary of Defense may, for otherwise modify the fish and game laws of a State or Territory otherwise applicable under subsection (a)(1) to hunting, fishing, or trapping at a military installation or facility if the Secretary determines that the application of such laws to such hunting, fishing, or trapping, without modification could result in undesirable consequences for public health or safety at the installation or facility. The authority to waive such laws includes the authority to extend, but not reduce, the specified season for certain hunting, fishing, or trapping.

(2) The Secretary may not waive the requirements under subsection (a)(2) regarding a license for such hunting, fishing, or trapping or any fee imposed by a State or Territory to obtain such a license.

(2) If the Secretary determines that a waiver of fish and game laws of a State or Territory is appropriate under paragraph (1), the Secretary shall consult with employees at the installation and communities in the vicinity of the installation regarding the Initiative.

(3) The Secretary shall transmit to Congress written notification of the designation of a military installation to participate in the Initiative not later than 30 days before taking any action to carry out the Initiative at the installation. The notification shall include a description of the steps taken by the Secretary to comply with paragraph (2).

(c) MANAGEMENT PLAN.—(1) As part of the notification required under subsection (b), the Secretary of Defense shall submit a management plan for the Initiative at the military installation designated in the notification.

(2) The management plan for a designated military installation shall include a description of—

(A) each proposed lease of real or personal property located at the military installation;

(B) each proposed lease, sale, or conveyance of real or personal property located at the installation;

(C) each proposed leaseback of real or personal property leased or disposed of at the installation;

(D) each proposed conversion of services at the installation from Federal Government performance to non-Federal Government performance, including performance by contract with a State or local government or private entity or performance as consideration for the lease or disposal of property at the installation; and

(E) each other action proposed to be taken to improve mission effectiveness and reduce the cost of providing quality installation support at the installation.

(3) With respect to each proposed action described under paragraph (2), the management plan shall include—

(A) an estimation of the savings expected to be achieved as a result of the action;

(B) each regulation not required by statute that is proposed to be waived to implement the action; and

(C) each other action proposed to be taken to improve mission effectiveness and reduce the cost of providing quality installation support at the installation.

(4) The management plan shall include measurable criteria for the evaluation of the effectiveness of the actions taken under the Initiative at the designated military installation.

(d) Waiver of Statutory Requirements.—The Secretary of Defense may waive any statutory, or regulation required by statute, for purposes of carrying out the Initiative only if specific criteria for such waiver or regulation are provided in a law that is enacted after the date of enactment of this Act.

(e) INSTALLATION EFFICIENCY FUND.—(1) There is established on the books of the Treasury a fund to be known as the “Installation Efficiency Initiative Fund.”

(2) There shall be deposited in the Fund all cash rents, payments, reimbursements, proceeds, and other amounts from leases, sales, or other conveyances or transfers, joint activities, and other actions taken under the Initiative.

(f) To the extent provided in advance in authorizing Acts and appropriation Acts, amounts in the Fund shall be available to the Secretary of Defense for purposes of managing capital assets and providing support services at military installations participating in the Initiative. Amounts in the Fund may be used for such purposes in addition to, or in combination with, other amounts authorized to be appropriated for such purposes. Amounts in the Fund shall be available for such purposes for five years.

(3) Subject to applicable financial management regulations, the Secretary shall structure the disposition of funds in the Fund, in accordance with the Federal Asset Management Act.

(4) No funds in the Fund may be made available before the date of the enactment of this Act.

(5) Not later than December 31, 2004, the Secretary of Defense shall submit to Congress an initial report on the Initiative. The report shall contain a description of the actions taken under the Initiative and include such other information, including recommendations, as the Secretary considers appropriate regarding the Initiative.

(6) Definitions.—In this section:

(A) For the purpose of this section, “Initiative” means the “Pilot Efficient Facilities Initiative.”

(B) The term “Fund” means the Installation Efficiency Initiative Fund.

(C) The term “military installation” has the meaning given such term in section 3012 of title 10, United States Code.

(h) Termination.—The authority of the Secretary of Defense to carry out the Initiative shall terminate December 31, 2006.

SEC. 2814. DEMONSTRATION PROGRAM ON REDUCTION IN LONG-TERM FACILITY MAINTENANCE COSTS.

(a) AUTHORITY TO CARRY OUT PROGRAM.—The Secretary of the Army shall carry out a demonstration program to assess the feasibility and desirability of including facility maintenance requirements in construction contracts for military installations participating in the demonstration program. The Secretary shall determine whether such requirements facilitate reductions in the long-term facility maintenance costs of the military departments.

(b) CONTRACTS.—Not more than three contracts entered into in any year may contain requirements referred to in subsection (a) for the purpose of the demonstration program. The demonstration program may only enter contracts into or on after the date of the enactment of this Act.

(c) EFFECTIVE PERIOD OF REQUIREMENTS.—The effective period of a requirement referred to in subsection (a) that is included in a contract for the purpose of the demonstration program may not exceed five years.

(d) REPORTING REQUIREMENTS.—Not later than January 31, 2005, the Secretary of the Army shall submit to Congress a report on the demonstration program, including the following:

(A) A description of all contracts that contain requirements referred to in subsection (a) for the purpose of the demonstration program.

(B) An evaluation of the demonstration program and a description of the experience of the Secretary with respect to such contracts.

(c) Any recommendations, including recommendations for the termination, continuation, or expansion of the demonstration program, that the Secretary considers appropriate.

(e) EXPEDITE.—The authority under subsection (a) to include requirements referred to in subsection in contracts in the demonstration program shall expire on September 30, 2006.

(f) FUNDING.—Amounts authorized to be appropriated for the Army for a fiscal year for military installations participating in the demonstration program under this section in such fiscal year,
Title: Congressional Record

PART 1—ARMY CONVEYANCES

SEC. 2831. LAND CONVEYANCE, WHITTIER-ANCHORAGE PIPELINE TANK FARM, ANCHORAGE, ALASKA.

(a) CONVEYANCE AUTHORIZED.—The Secretary of the Army may convey, without consideration, to the City of Anchorage, Alaska (in this section referred to as the "City")(1) all right, title, and interest of the United States in and to an additional parcel of real property, in Anchorage, Alaska known as the Whittier-Anchorage Pipeline Tank Farm, for the purpose of permitting the Port to use the parcels for economic development.

(b) CONDITION OF CONVEYANCE.

(1) The Secretary may transfer real property at the installation approved for realignment under this title (including property at an installation approved for realignment which will be retained by the Department of Defense for another Federal agency or agency concerned) to the redevelopment authority for the installation if the redevelopment authority agrees to lease, directly upon transfer, one or more portions of the real property transferred under this subparagraph to the Secretary all right, title, and interest of the landowners in its jurisdiction without direct charge; or

(2) The Secretary may convey, without consideration, to the City all right, title, and interest of the United States in and to an additional parcel of real property, in Anchorage, Alaska known as the Whittier-Anchorage Pipeline Tank Farm, for the purpose of permitting the Port to use the parcels for economic development.

(c) DESCRIPTION OF PROPERTY.

The exact acreage and legal description of the real property to be conveyed under subsection (a) shall be determined by a survey satisfactory to the Secretary. The cost of the survey shall be borne by the Port.

(d) ADDITIONAL TERMS AND CONDITIONS.

The Secretary may require such additional terms and conditions in connection with the conveyance under subsection (a) as the Secretary considers appropriate to protect the interests of the United States.

SEC. 2832. LEASE AUTHORITY, FORT DE RUSSEY, HAWAII.

(a) LEASE AUTHORIZED.—Notwithstanding section 809 of the Military Construction Authorization Act of 1989 (Public Law 101-110; 81 Stat. 309), and section 284(b) of the Military Construction Authorization Act, 1989 (Public Law 100-456; 102 Stat. 2171), the Secretary of the Army may lease, with the concurrence of the City and County of Honolulu, Hawaii, for the purpose of making available to the City and County a parcel of real property at Fort DeRussy, Hawaii, for the establishment of a new parking facility. The size and location of the parcel shall be determined by the Secretary.

(b) TERMS AND CONDITIONS.—The lease under subsection (a) may be for such term of years, require such consideration, and contain such other terms and conditions as the Secretary considers appropriate to protect the interests of the United States.

(c) RELATIONSHIP TO OTHER LEASE AUTHORITY.—Section 2667 of title 10, United States Code, shall not apply to the lease under subsection (a).

(d) DISPOSITION OF MONEY RENTALS.—All money rentals received pursuant to the lease under subsection (a) shall be—

(1) retained by the Secretary;

(2) credited to an appropriation account that supports the operation and maintenance of Fort DeRussy; and

(3) available for such purpose until expended.

SEC. 2833. MODIFICATION OF LAND EXCHANGE, ROCK ISLAND ARSENAL, ILLINOIS.

(a) ADDITIONAL CONVEYANCE AUTHORIZED.—Subsection (a) of section 2832 of the Military Construction Authorization Act for Fiscal Year 2000 (division B of Public Law 106-398; 114 Stat. 1077) is amended—

(1) by inserting "(1)" after "CONVEYANCE AUTHORIZED."; and

(2) by adding at the end the following new paragraph:

"(2) The Secretary may convey to the City all right, title, and interest of the United States in and to a parcel of real property, in and around improvements at the Rock Island Arsenal consisting of approximately .31 acres."

(b) CONSIDERATION.—Subsection (b) of such section is amended—

(1) by inserting "(1)" after "CONSIDERATION."; and

(2) by striking subsection (a) both places it appears and inserting "subsection (a)(1)"; and

(3) by adding at the end the following new paragraph:

"(2) As consideration for the conveyance under subsection (a)(1), the City shall convey to the Secretary all right, title, and interest of the City in and to a parcel of real property consisting of approximately .063 acres and construct on the parcel, at the City's expense, a new access ramp to the Rock Island Arsenal.

SEC. 2834. LAND CONVEYANCE, FORT DES MOINES, IOWA.

(a) CONVEYANCE AUTHORIZED.—The Secretary of the Army may convey, without consideration, to Fort Des Moines Memorial Park, Inc., a nonprofit organization (in this section referred to as "the Memorial Park"), all right, title, and interest of the United States in and to an additional parcel of real property, in and around improvements at the Memorial Park, Des Moines, Iowa, for the purpose of establishing the Fort Des Moines Memorial Park and Education Center.

(b) CONDITION OF CONVEYANCE.—The conveyance under subsection (a) shall be subject to the condition that the Memorial Park use the property for museum and park purposes.

(c) REMUNERATION FOR COSTS OF CONVEYANCE.—(1) The Memorial Park shall reimburse the Secretary for the excess costs incurred by the Secretary for any environmental assessment, authorization, or other excess costs incurred by the Secretary, in connection with the conveyance authorized by this section, if the excess costs were incurred as a result of a recommendation in this paragraph, if the term "excess costs" means costs in excess of those costs considered reasonable and necessary for the establishment of the Fort Des Moines Memorial Park and Education Center.
by the Secretary to comply with existing law to make the conveyance authorized by subsection (a).

(2) Section 301(a)(1) of title 10 United States Code, shall apply to any amount received under this subsection.

(e) DESCRIPTION OF PROPERTY.—The exact acreage and legal description of the real property to be conveyed under subsection (a) of the Secretary considers appropriate to protect the interests of the United States.

SEC. 2835. MODIFICATION OF LAND CONVEYANCE, FORT DIX, NEW JERSEY.

Section 2835(c) of the Military Construction Authorization Act for Fiscal Year 1998 (division B of Public Law 105–85; 111 Stat. 2004) is amended by adding at the end the following new paragraph:

“(3) Notwithstanding paragraph (1) or (2), the Borough and Board may exchange between each other, without the consent of the Secretary, all or any portion of the property conveyed under subsection (a) so long as the property continues to be used by the grantees for economic development or educational purposes.”

SEC. 2836. LAND CONVEYANCE, ENGINEER PROVING GROUND, FORT BELVOIR, VIRGINIA.

(a) CONVEYANCE AUTHORIZED.—The Secretary of the Army may convey to the Commonwealth of Virginia (in this section referred to as the “Commonwealth”) all right, title, and interest of the United States in and to two parcels of real property, including any improvements thereon, located at the Engineer Proving Ground, Fort Belvoir, Virginia, that are as follows:

(1) The parcel, consisting of approximately 170 acres, that is to be used for construction of a portion of the Fairfax County Parkway.

(2) The parcel, consisting of approximately 11.45 acres, that is subject to an easement previously granted to the Commonwealth as Army easement DACA 31–9–46–40 for the construction of a portion of Interstate Highway 95.

(b) CONSIDERATION.—As consideration for the conveyance under subsection (a), the Commonwealth:

(1) design and construct, at its expense and for public benefit, the portion of the Fairfax County Parkway through the Engineer Proving Ground;

(2) provide a conceptual design for eventual incorporation and construction by others of access to the Engineer Proving Ground at the Rolling Road Interchange from Fairfax County Parkway as specified in Virginia Department of Transportation Project #R000–029–249, CS14;

(3) provide such easements or rights of way for utility lines through the Fairfax County Parkway as the Secretary considers appropriate for the optimum development of the Engineer Proving Ground;

(4) pay the United States an amount, jointly and severally, determined by a survey satisfactory to the Secretary and the Commonwealth, appropriate to cover the costs of constructing the improvement building for building 5089 located on the Engineer Proving Ground.

(c) RESPONSIBILITY FOR ENVIRONMENTAL CLEANSUP.—The Secretary shall retain liability under the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9601 et seq.), and any other applicable environmental statute or regulation, for any environmental costs incurred as a result of the conveyance under subsection (a) as of the date of the conveyance under that subsection.

(d) ACCEPTANCE AND DISPOSITION OF FUNDS.—

(1) The Secretary may accept the funds paid by the Commonwealth as consideration under subsection (b)(4) and shall credit the accepted funds to the appropriation or appropriations that are appropriate for paying the costs of the replacement of Building 5089, located on the Engineer Proving Ground, Fort Belvoir, Virginia, in connection with paragraphs (2) and (3) of this subsection.

(2) Funds accepted under paragraph (1) shall be available, until expended, for the replacement of Building 5089.

(3) Funds appropriated pursuant to the authorization of appropriations in section 204(a)(4), shall be available in accordance with section 2835 of title 10, United States Code, for the excess, if any, of the cost of the replacement of Building 5089, over the amount available for such project under paragraph (2).

(e) DESCRIPTION OF PROPERTY.—(1) The exact acreage and legal description of the real property to be conveyed under subsection (a) shall be determined by a survey satisfactory to the Secretary. The cost of the survey shall be borne by the Commonwealth.

(2) The exact acreage and legal description of the real property to be conveyed under subsection (a) shall be determined by a survey satisfactory to the Administrator. The cost of the survey shall be borne by the Commonwealth.

(3) Notwithstanding paragraph (1) or (2), the Administrator may require such additional terms and conditions in connection with the conveyance under subsection (a) as the Administrator considers appropriate to protect the interests of the United States.

SEC. 2837. LAND EXCHANGE AND CONSOLIDATION, FORT LEWIS, WASHINGTON.

(a) EXCHANGE AUTHORIZED.—(1) The Secretary of the Army may convey to the Nisqually Tribe, a federally recognized Indian tribe whose tribal lands are located within the State of Washington, all right, title, and interest of the United States in and to two parcels of real property, including any improvements thereon, consisting of approximately 136 acres at Fort Lewis, Washington, in exchange for the real property described in subsection (b).

(2) The property authorized for conveyance under paragraph (1) does not include Bonneville Power Administration transmission facilities or the right of way described in subsection (c).

(b) CONSIDERATION.—As consideration for the conveyance under subsection (a), the Nisqually Tribe shall:

(1) acquire from Thurston County, Washington, several parcels of real property consisting of approximately 416 acres that are owned by the county and located within the boundaries of Fort Lewis, and are currently leased by the Army; and

(2) convey fee title over the acquired property to the Secretary.

(c) RIGHT-OF-WAY FOR BONNEVILLE POWER ADMINISTRATION.—The Secretary may use the authority provided in section 2695(c) of title 10 United States Code, to convey to the Bonneville Power Administration a right-of-way that authorizes the Bonneville Power Administration to use real property at Fort Lewis as a route for its transmission lines and associated River electric transmission lines and appurtenances for the purpose of facilitating the removal of such transmission lines from tribal lands of the Nisqually Tribe.

(d) DESCRIPTION OF PROPERTY.—The exact acreage and legal description of the real property to be conveyed under subsection (a) and acquired under subsection (b) shall be determined by surveys satisfactory to the Secretary and the Nisqually Tribe. The cost of a survey shall be borne by the recipient of the property being surveyed.

(e) ADDITIONAL TERMS AND CONDITIONS.—The Secretary may require such additional terms and conditions in connection with the conveyance under subsection (a) as the Secretary considers appropriate to protect the interests of the United States.

SEC. 2838. LAND CONVEYANCE, ARMY RESERVE CENTER, KEWAUNEE, WISCONSIN.

(a) CONVEYANCE AUTHORIZED.—The Administrator of the General Services Administration may convey, without consideration, to the City of Kewaunee, Wisconsin (in this section referred to as the “City”), all right, title, and interest of the United States in and to real property, including improvements thereon, that is located at 401 5th Street in Kewaunee, Wisconsin, and contains a surplus Army Reserve Center. After such conveyance, the property may be used and occupied only by the City or by another local or State government entity approved by the City.

(b) TRANSITIONAL INTEREST.—(1) During the 20-year period beginning on the date the Administrator makes the conveyance under subsection (a), if the Administrator determines that the conveyance property is not being used and occupied in accordance with such subsection, all right, title, and interest in and to the property, including any improvements thereon, shall revert to the United States.

(2) Upon reversion, the Administrator shall immediately proceed to a public sale of the property. The Administrator shall deposit the net proceeds from the sale into the Land and Water Conservation Fund established under section 2 of the Land and Water Conservation Fund Act of 1965 (16 U.S.C. 4605–5).

(c) ADDITIONAL TERMS AND CONDITIONS.—The Administrator may require such additional terms and conditions in connection with the conveyance under subsection (a) as the Administrator considers appropriate to protect the interests of the United States.

PART II—NAVY CONVEYANCES

SEC. 2841. TRANSFER OF JURISDICTION, CENTERVILLE BEACH NAVAL STATION, HUMBOLDT COUNTY, CALIFORNIA.

(a) TRANSFER AUTHORIZED.—The Secretary of the Navy may transfer, without reimbursement, to the administrative jurisdiction of the Secretary of the Interior, all right, title, and interest of the United States in and to any improvements thereon, consisting of the closed Centerville Beach Naval Station in Humboldt County, California, comprising a portion of permiitting the Secretary of the Interior to manage the real property as open space or for other public purposes.

(b) LEGAL DESCRIPTION.—The exact acreage and legal description of the real property to be transferred under this section shall be determined by a survey satisfactory to the Secretary of the Navy. The cost of the survey shall be borne by the Secretary of the Interior.

(c) ADDITIONAL TERMS AND CONDITIONS.—The Secretary of the Navy may require such additional terms and conditions in connection with the transfer under subsection (a) as the Secretary of the Navy considers appropriate to protect the interests of the United States.

SEC. 2842. LAND CONVEYANCE, PORT OF LONG BEACH, CALIFORNIA.

(a) CONVEYANCE AUTHORIZED.—The Secretary of the Navy may convey to the City of Long Beach, California, acting by and through its Board of Harbor Commissioners (in this section referred to as the “City”), all right, title, and interest of the United States in and to 11.08 acres of real property, including any improvements thereon, comprising a portion of the Navy Mole at the former Long Beach Naval Complex, Long Beach, California, for the purpose of permitting the City to support the reuse of other former Navy property conveyed to the City.
(b) CONSIDERATION.—(1) Subject to paragraph (2), as consideration for the conveyance under subsection (a), the City shall—
(A) convey to the Secretary all right, title, and interest in and to a parcel of real property of equal size on the Mole that is acceptable to the Secretary; and
(B) construct on the property conveyed under subsection (a), if the Secretary determines that replacement fuel transfer and storage facilities for the Navy, similar or equivalent to the facilities on the property to be conveyed under subsection (a), as determined by the Secretary.
(2) If the Secretary determines that replacement fuel transfer and storage facilities are not required in the judgment of the Secretary, the conveyance under subsection (a) shall be made without payment to the City.
(c) TIME FOR CONVEYANCE.—Unless the Secretary makes the determination referred to in subsection (b)(2), the conveyance to the City authorized by subsection (a) shall be made only after the Secretary determines that the replacement fuel transfer and storage facilities have been constructed and are ready for use.
(d) CONSTRUCTION SCHEDULE.—The City shall construct the replacement fuel transfer and storage facilities in accordance with such schedule and in such a manner as to not interrupt or otherwise adversely affect the capability of the Navy to accomplish its missions.
(e) DESCRIPTION OF PROPERTY.—The exact acreage and legal description of the real property to be conveyed under subsections (a) and (b) shall be shown on a final survey satisfactory to the Secretary. The City shall be responsible for conducting the surveys.
(f) ADDITIONAL TERMS AND CONDITIONS.—The Secretary may require such additional terms and conditions in connection with the conveyances under this section as the Secretary considers appropriate to protect the interests of the United States.

SEC. 2843. CONVEYANCE OF PIER, NAVAL BASE, SAN DIEGO, CALIFORNIA.

(a) CONVEYANCE AUTHORIZED.—(1) The Secretary of the Navy may convey, without consideration, to the San Diego Aircraft Carrier Museum or its desigee (in this section referred to as the “Museum”) all right, title, and interest of the United States in and to the property known as Pier 11A at Naval Base, San Diego, California, together with associated structures and interests in the land underlying the pier, if, for that purpose, the Museum agrees to convey to the Secretary all right, title, and interest of the United States in and to any parcel of real property, including any improvements thereon, appurtenances thereto, and any interest therein acquired or retained, if the Secretary determines that the conveyance is necessary to effectuate the purpose of economic redevelopment.
(b) ASSUMPTION OF LIABILITY.—The Museum shall accept any and all liability pertaining to the physical condition of the property conveyed under subsection (a) and shall hold the United States harmless from any and all liability arising from the property’s physical condition.
(c) REIMBURSEMENT FOR COSTS OF CONVEYANCE.—(1) The Museum shall reimburse the Secretary for the reasonable costs incurred by the Secretary for any environmental assessment, study, or analysis, or for any other excess costs incurred by the Secretary, in connection with the conveyance under subsection (a), if the excess costs were incurred as a result of a request by the Museum. In this paragraph, the term “excess costs” means costs in excess of those costs that would have been necessary by the Secretary to comply with existing law to make the conveyance authorized by subsection (a).
(2) Section 2695(c) of title 10, United States Code, shall apply to any amount received by the Secretary under this subsection.

SEC. 2845. LAND TRANSFER AND CONVEYANCE, NAVAL SECURITY GROUP ACTIVITY, WINTER HARBOR, MAINE.

(a) TRANSFER OF JURISDICTION OF SCHOCO POINT PROPERTY AUTHORIZED.—(1) The Secretary of the Navy may transfer to the Secretary of the Interior administrative jurisdiction of a parcel of real property, including any improvements thereon and appurtenances thereto, consisting of approximately 26 acres as generally depicted by the map entitled “Acadia National Park Schoodic Point Area”, numbered 123880-418 and dated May 2001, for the purpose of permitting the Museum to use such property for the benefit of the public.
(2) The transfer authorized by this subsection shall occur, if at all, concurrently with the reversion of administrative jurisdiction of a parcel of real property consisting of approximately 71 acres, as depicted as Tract 15-115 on the map re- duced by the Secretary of the Interior to the Secretary of the Interior as authorized by Public Law 80-280 (61 Stat. 519) and to be executed on or about June 30, 2002.
(b) CONVEYANCE OF COREA AND WINTER HARBOR, MAINE, SECURITY GROUP ACTIVITY PROPERTIES AUTHORIZED.—The Secretary of the Navy may convey, without consideration, to the State of Maine, any political subdivision of the State, any non-profit corporation, or any non-profit organization providing educational and recreational programs or services to the public, any parcel of real property, including any improvements thereon and appurtenances thereto, consisting of approximately 485 acres and comprising the former facilities of the Naval Security Group Activity, Winter Harbor, Maine, located approximately 10 nautical miles northeast of the city of land use on the map entitled “Acadia National Park Schoodic Point Area”, numbered 123880-418 and dated May 2001, for the purpose of economic redevelopment.
(c) TRANSFER OF PERSONAL PROPERTY.—The Secretary of the Navy may transfer, without consideration, to the Secretary of the Interior in the case of the real property transferred under subsection (a), or to any recipient of such real property, any personal property transferred under subsection (a), or any personal property associated with the real property so transferred or conveyed, including any personal property used for the maintenance of the infrastructure of such real property (including the generators for an uninterrupted power supply in building 154 at the Corea site).
(d) MAINTENANCE OF PROPERTY PENDING CONVEYANCE.—(1) The Secretary of the Navy shall maintain any real property, including any improvements thereon, appurtenances thereto, and any personal property associated with the real property transferred under subsection (a), or any personal property associated with the real property so transferred or conveyed, in a condition necessary by the Secretary to comply with existing law to make the conveyance authorized by subsection (a).
(2) The requirement in paragraph (1) shall not be construed as authority to improve the real property, improvements, and infrastructure referred to in that paragraph so as to bring such real property, improvements, or infrastructure into compliance with any zoning or property use requirements, or to create or to modernize such improvements and infrastructure caused by natural accident or disaster.
(e) INTERIM LEASE.—(1) Until such time as an amount of real property transferred under subsection (a) is conveyed by deed under that subsection, the Secretary of the Navy may lease such parcel to any person or entity determined by the Secretary to be an appropriate lessee of such parcel.
(2) The amount of rent for a lease under paragraph (1) shall be the amount determined by the Secretary to be appropriate, and may be an amount less than the fair market value of the lease.
(f) REIMBURSEMENT FOR ENVIRONMENTAL AND OTHER ASSESSMENTS.—(1) The Secretary of the Navy may require such recipient of real property conveyed under subsection (b) to reimburse the Secretary for any environmental assessment, study, or analysis carried out by the Secretary in connection with the conveyance of such property, if the excess costs were incurred as a result of a request by the recipient. In this paragraph, the term “excess costs” means costs in excess of those costs considered reasonable and necessary by the Secretary to comply with existing law to make the conveyance to the recipient.
SEC. 2847. LAND CONVEYANCE, NAVAL WEAPONS TESTING ACTIVITY, HERTFORD, NORTH CAROLINA.

(a) CONVEYANCE AUTHORIZED.—(1) The Secretary of the Navy may convey, without consideration, to the Naval Weapons Testing Activity, Hertford, North Carolina, any or all right, title, and interest in and to a parcel of real property, consisting of approximately 240 acres, or any portion thereof, in Perquimans County, North Carolina, for purposes of including such parcel in the Harvey Point Defense Testing Activity, Hartford, North Carolina.

SEC. 2848. LAND ACQUISITION, PERQUIMANS COUNTY, NORTH CAROLINA.

The Secretary of the Navy may acquire funds previously appropriated for such purpose, acquire any and all right, title, and interest in and to a parcel of real property, including improvements thereon, consisting of approximately 29 acres and comprising the Naval Weapons Industrial Reserve Plant, Toledo, Ohio.

SEC. 2849. LAND CONVEYANCE, NAVAL WEAPONS INDUSTRIAL RESERVE PLANT, TOLEDO, OHIO.

(a) CONVEYANCE AUTHORIZED.—(1) The Secretary of the Navy may convey, without consideration, to the Toledo-Lucas County Port Authority, Ohio (in this section referred to as the “Port Authority”), any or all right, title, and interest in and to a parcel of real property, including improvements thereon, consisting of approximately 29 acres and comprising the Naval Weapons Industrial Reserve Plant, Toledo, Ohio.
(2) The Secretary may include in the conveyance under paragraph (1) such facilities, equipment, fixtures, and other personal property located on or associated with the parcel conveyed under that paragraph, or used in connection with the parcel, as the Secretary determines to be excess to the Navy.
(b) LEASE AUTHORITY.—Until such time as the real property described in subsection (a) is conveyed by deed, the Secretary may lease such
real property, and any personal property described in subsection (a)(2), to the Port Authority in exchange for such security, fire protection, and maintenance services as the Secretary considers appropriate.

(c) CONDITIONS OF CONVEYANCE.—The conveyance under subsection (a), and any lease under subsection (b), shall be subject to the conditions that the Port Authority considers appropriate.

(1) accept the real and personal property concerned in their condition at the time of the conveyance or lease, as the case may be;

(2) except as provided in subsection (d), use the real and personal property concerned, whether directly or through an agreement with a public agency or, for economic development or such other public purposes as the Port Authority considers appropriate.

(d) SUBSEQUENT USE.—(1) Subject to the approval of the Secretary, the Port Authority may sublease real property or personal property covered by a lease under subsection (b) to another person for economic development or such other public purposes as the Port Authority considers appropriate.

(2) Following the conveyance of real property under subsection (a), the Port Authority may lease or redelegate the real property, and any personal property conveyed with such real property under that subsection, for economic development or such other public purposes as the Port Authority considers appropriate.

(e) REIMBURSEMENT FOR COSTS OF CONVEYANCE AND LEASE.—(1) The Port Authority shall reimburse the Secretary for the excess costs incurred for any environmental assessment, study, or analysis, or for any other excess costs incurred by the Secretary, in connection with the conveyance authorized by this section, determined by the Secretary to be reasonably necessary for the conveyance authorized by subsection (a).

(2) The Port Authority shall reimburse the Secretary for the excess costs incurred for any environmental assessment, study, or analysis, or for any other excess costs incurred by the Secretary, in connection with the conveyance authorized by this section, determined by the Secretary to be reasonably necessary for the conveyance authorized by subsection (a). The Port Authority shall reimburse the Secretary for the excess costs incurred for any environmental assessment, study, or analysis, or for any other excess costs incurred by the Secretary, in connection with the conveyance authorized by this section, determined by the Secretary to be reasonably necessary for the conveyance authorized by subsection (a).

(2) The Port Authority shall reimburse the Secretary for the excess costs incurred for any environmental assessment, study, or analysis, or for any other excess costs incurred by the Secretary, in connection with the conveyance authorized by this section, determined by the Secretary to be reasonably necessary for the conveyance authorized by subsection (a).

(f) DESCRIPTION OF PROPERTY.—The exact acreage and legal description of the real property to be conveyed under subsection (a)(1), and an appropriate inventory or other description of the personal property to be conveyed under subsection (b), as the Secretary considers appropriate to protect the interests of the United States.

(g) ADDITIONAL TERMS AND CONDITIONS.—The Secretary may require such additional terms and conditions in connection with the conveyance under subsection (a)(1), and any lease under subsection (b), as the Secretary considers appropriate to protect the interests of the United States.

(h) INTERIM WATER SUPPLIES.—If the Secretary determines that it is in the best interests of the United States to transfer title to the water rights and utilities systems at South and Andersen Water Supply Annex before placing into service a replacement water system and well field on Andersen Air Force Base, the Secretary may require that the United States have the primary right to all water produced from Andy South and Andersen Water Supply Annex until such time as the replacement water system and well field is placed into service and operates to the satisfaction of the Secretary.

(i) TREATMENT OF WATER RIGHTS.—(1) As part of the conveyance of water rights under this section, the conveyee of the water system to sell to public or private entities such water from Andersen Air Force Base as the Secretary determines to be excess to the needs of the United States. In the event the Secretary authorizes the conveyee to sell water, the Secretary shall negotiate a reasonable return to the United States of the value of such excess water sold by the conveyee, which return the Secretary may receive in the form of reduced charges for utility services provided by the conveyee.

(2) If the Secretary cannot meet the requirements of subsection (b), and the Secretary determines to proceed with a water utility system conveyance under section 232–234 of title 10, United States Code, without the conveyance of water rights, the Secretary may provide in any such conveyance that the conveyee of the water system shall sell to public or private entities such water from Andy South and Andersen Water Supply Annex as the Secretary determines to be excess to the needs of the United States.

The Secretary shall negotiate a reasonable return to the United States of the value of such excess water sold by the conveyee, which return the Secretary may receive in the form of reduced charges for utility services provided by the conveyee.

(e) ADDITIONAL TERMS AND CONDITIONS.—The Secretary may require such additional terms and conditions in connection with the conveyance authorized by subsection (a), as the Secretary considers appropriate to protect the interests of the United States.

(h) INTERIM WATER SUPPLIES.—If the Secretary determines that it is in the best interests of the United States to transfer title to the water rights and utilities systems at South and Andersen Water Supply Annex before placing into service a replacement water system and well field on Andersen Air Force Base, the Secretary may require that the United States have the primary right to all water produced from Andy South and Andersen Water Supply Annex until such time as the replacement water system and well field is placed into service and operates to the satisfaction of the Secretary.

(i) TREATMENT OF WATER RIGHTS.—(1) As part of the conveyance of water rights under this section, the conveyee of the water system to sell to public or private entities such water from Andersen Air Force Base as the Secretary determines to be excess to the needs of the United States. In the event the Secretary authorizes the conveyee to sell water, the Secretary shall negotiate a reasonable return to the United States of the value of such excess water sold by the conveyee, which return the Secretary may receive in the form of reduced charges for utility services provided by the conveyee.

(2) If the Secretary cannot meet the requirements of subsection (b), and the Secretary determines to proceed with a water utility system conveyance under section 232–234 of title 10, United States Code, without the conveyance of water rights, the Secretary may provide in any such conveyance that the conveyee of the water system shall sell to public or private entities such water from Andy South and Andersen Water Supply Annex as the Secretary determines to be excess to the needs of the United States.

The Secretary shall negotiate a reasonable return to the United States of the value of such excess water sold by the conveyee, which return the Secretary may receive in the form of reduced charges for utility services provided by the conveyee.

(e) ADDITIONAL TERMS AND CONDITIONS.—The Secretary may require such additional terms and conditions in connection with the conveyance authorized by subsection (a), as the Secretary considers appropriate to protect the interests of the United States.

(h) INTERIM WATER SUPPLIES.—If the Secretary determines that it is in the best interests of the United States to transfer title to the water rights and utilities systems at South and Andersen Water Supply Annex before placing into service a replacement water system and well field on Andersen Air Force Base, the Secretary may require that the United States have the primary right to all water produced from Andy South and Andersen Water Supply Annex until such time as the replacement water system and well field is placed into service and operates to the satisfaction of the Secretary.

(i) TREATMENT OF WATER RIGHTS.—(1) As part of the conveyance of water rights under this section, the conveyee of the water system to sell to public or private entities such water from Andersen Air Force Base as the Secretary determines to be excess to the needs of the United States. In the event the Secretary authorizes the conveyee to sell water, the Secretary shall negotiate a reasonable return to the United States of the value of such excess water sold by the conveyee, which return the Secretary may receive in the form of reduced charges for utility services provided by the conveyee.

(2) If the Secretary cannot meet the requirements of subsection (b), and the Secretary determines to proceed with a water utility system conveyance under section 232–234 of title 10, United States Code, without the conveyance of water rights, the Secretary may provide in any such conveyance that the conveyee of the water system shall sell to public or private entities such water from Andy South and Andersen Water Supply Annex as the Secretary determines to be excess to the needs of the United States.

The Secretary shall negotiate a reasonable return to the United States of the value of such excess water sold by the conveyee, which return the Secretary may receive in the form of reduced charges for utility services provided by the conveyee.

(e) ADDITIONAL TERMS AND CONDITIONS.—The Secretary may require such additional terms and conditions in connection with the conveyance authorized by subsection (a), as the Secretary considers appropriate to protect the interests of the United States.

(h) INTERIM WATER SUPPLIES.—If the Secretary determines that it is in the best interests of the United States to transfer title to the water rights and utilities systems at South and Andersen Water Supply Annex before placing into service a replacement water system and well field on Andersen Air Force Base, the Secretary may require that the United States have the primary right to all water produced from Andy South and Andersen Water Supply Annex until such time as the replacement water system and well field is placed into service and operates to the satisfaction of the Secretary.

(i) TREATMENT OF WATER RIGHTS.—(1) As part of the conveyance of water rights under this section, the conveyee of the water system to sell to public or private entities such water from Andersen Air Force Base as the Secretary determines to be excess to the needs of the United States. In the event the Secretary authorizes the conveyee to sell water, the Secretary shall negotiate a reasonable return to the United States of the value of such excess water sold by the conveyee, which return the Secretary may receive in the form of reduced charges for utility services provided by the conveyee.

(2) If the Secretary cannot meet the requirements of subsection (b), and the Secretary determines to proceed with a water utility system conveyance under section 232–234 of title 10, United States Code, without the conveyance of water rights, the Secretary may provide in any such conveyance that the conveyee of the water system shall sell to public or private entities such water from Andy South and Andersen Water Supply Annex as the Secretary determines to be excess to the needs of the United States.

The Secretary shall negotiate a reasonable return to the United States of the value of such excess water sold by the conveyee, which return the Secretary may receive in the form of reduced charges for utility services provided by the conveyee.

(e) ADDITIONAL TERMS AND CONDITIONS.—The Secretary may require such additional terms and conditions in connection with the conveyance authorized by subsection (a), as the Secretary considers appropriate to protect the interests of the United States.
SEC. 2855. LAND CONVEYANCE, PETROLEUM TERMINAL, SERVING FORMER LORING AIR FORCE BASE AND BANGOR AIR NATIONAL GUARD BASE, MAINE.

(a) CONVEYANCE AUTHORIZED.—(1) The Secretary of the Air Force may convey to the Maine Port Authority of the State of Maine (in this section referred to as the “Authority”) all right, title, and interest of the United States in and to the Petroleum Terminal (POL) at Mack Point, Searsport, Maine, which served former Loring Air Force Base and Bangor Air National Guard Base, Maine.

(2) The conveyance under paragraph (1) may include the following:

(A) All real property, including any improvements thereon, consisting of approximately 20 acres and comprising a portion of the Petroleum Terminal.

(B) Any additional fuel tanks, other improvements, and equipment located on the 42-acre parcel of property adjacent to the property described in subparagraph (A), and leased by the Secretary as of the date of the enactment of this Act, which constitutes the remaining portion of the Petroleum Terminal.

(b) CONDITION OF CONVEYANCE.—The Secretary may not make the conveyance under subsection (a) unless the Authority agrees to utilize the property to be conveyed under that subsection solely for economic development purposes.

(c) CONSIDERATION.—(1) As consideration for the conveyance under subsection (a), the Authority shall pay the Secretary the sum of $250.

(2) The Secretary shall consult with the Secretary of State and the Secretary of the Army in connection with the conveyance required by subsection (a) to the Authority.

(3) The Secretary may, in cooperation with the Authority, enter into one or more cooperative agreements with appropriate public or private entities or individuals in order to provide for the establishment and maintenance of the petroleum terminal referred to in subsection (a).

(d) DESCRIPTION OF PROPERTY.—The exact acreage and legal description of the real property to be conveyed under subsection (a) shall be determined by survey satisfactory to the Secretary. The cost of the survey shall be borne by the Authority.

(e) ADDITIONAL TERMS AND CONDITIONS.—The Secretary may require such additional terms and conditions in connection with the conveyance under subsection (a), and the lease under subsection (c), as the Secretary considers appropriate to protect the interests of the United States.

SEC. 2856. LAND CONVEYANCES, CERTAIN FORMER MINUTEMAN III ICBM FACILITIES, NORTH DAKOTA.

(a) CONVEYANCES AUTHORIZED.—(4) The Secretary of the Air Force may convey, without consideration, to the State of North Dakota (hereafter referred to as the “Historical Society”) all right, title, and interest of the United States in and to parcels of real property, improvements thereon, and acreage and legal description of the real property to be conveyed under subsections (a) and (b) of section 2861 of the Military Construction Authorization Act for Fiscal Year 2001 (division B of the Spence Act; 114 Stat. 1654A–438).

(b) CONVEYANCE TO STATE OF SOUTH CAROLINA.

(a) CONVEYANCE AUTHORIZED.—The Secretary of the Air Force may convey, without consideration, to the Secretary of the National Oceanic and Atmospheric Administration for all right, title, and interest of the United States in and to a portion of the property authorized by section 2866 of the Military Construction Authorization Act for Fiscal Year 2001 (division B of the Spence Act; 114 Stat. 1654A–438) to the City of North Charleston, South Carolina (in this section referred to as the “State”), all right, title, and interest of the United States in and to a portion (as determined under subsection (c) of the real property, including any improvements thereon, referred to in subsection (a). The purpose of the conveyance is to permit the use of the property by the City for municipal purposes.

(b) DESCRIPTION OF PROPERTY.—The exact acreage and legal description of the real property to be conveyed under section (a) shall be determined by survey satisfactory to the Secretary.

(c) DETERMINATION OF PORTIONS OF PROPERTY.

(d) ADDITIONAL TERMS AND CONDITIONS.—The Secretary may require such additional terms and conditions in connection with the conveyance required by the Act for Fiscal Year 2001 (division B of the Spence Act; 114 Stat. 1654A–438) for the property to be conveyed under subsection (a) shall be borne by the State, and the cost of the survey for the property to be conveyed under subsection (b) shall be borne by the City.

SEC. 2857. LAND CONVEYANCES, CHARLESTON AIR FORCE BASE, SOUTH CAROLINA.

SEC. 2858. TRANSFER OF JURISDICTION, MUKILTEO TANK FARM, EVERETT, WASHINGTON.

(a) TRANSFER AUTHORIZED.—The Secretary of the Air Force shall transfer, without reimbursement to the Secretary of Commerce, to the Department of the Interior jurisdiction over a parcel of real property, including improvements thereon, consisting of approximately 1.1 acres located at the Mukilteo Tanks Farm (hereafter referred to as the “Tank Farm”) and containing the Mukilteo Research Center facility of the National Marine Fisheries Service.

(b) CONVEYANCE OF PROPERTY.—The Secretary of the Air Force shall make the transfer under subsection (a) at the same time that the Secretary makes the conveyance authorized by section 2066 of the Military Construction Authorization Act for Fiscal Year 2001 (division B of the Spence Act; 114 Stat. 1654A–438).

(c) EXCHANGE.—With the consent of the Port Authority for Everett, Washington, the Secretary of Commerce may exchange with the Port Authority all or any portion of the property transferred under subsection (a) for a parcel of real property of equal area at the Mukilteo Tank Farm that is owned by the Port Authority.

(d) ADMINISTRATION.—The Secretary of Commerce shall administer the property transferred under subsection (a) in accordance with the conditions prescribed in section 2066 of the Military Construction Authorization Act for Fiscal Year 2001 (division B of the Spence Act; 114 Stat. 1654A–438).

(e) LEGAL DESCRIPTION.—The exact acreage and legal description of the real property to be transferred under subsection (a) or received under subsection (c) for the purpose specified in subsection (d), the Administrator shall convey, without consideration, to the Port Authority for Everett, Washington, all right, title, and interest in and to such portion of the real property, including improvements thereon, referred to in subsection (a) or (c) of this Act.

(f) LEGAL DESCRIPTION.—The exact acreage and legal description of the real property to be transferred under subsection (a) or received under subsection (c) for the purpose specified in subsection (d) shall be determined by survey satisfactory to the Secretary of the Air Force. The cost of the survey shall be borne by the Secretary of Commerce.
(g) ADDITIONAL TERMS AND CONDITIONS.—The Secretary of the Air Force may require such additional terms and conditions in connection with the transfer under subsection (a) as the Secretary of the Air Force considers appropriate to protect the interests of the United States.

(h) CONFORMING AMENDMENT.—Section 2806(a) of the Military Construction Authorization Act for Fiscal Year 2001 (division C of Public Law 106–398; 114 Stat. 1135 et seq.) is amended by designating paragraph (2) the first paragraph of the section.

Subtitle E—Other Matters

SEC. 2861. MANAGEMENT OF THE PRESIDIO OF SAN FRANCISCO

(a) AUTHORITY TO LEASE CERTAIN PROPERTY TO BE TRANSFERRED UNDER THIS PARAGRAPH.

(1) The Secretary of the Army and for such length of time as requested by the Secretary of the Army in existence as of the date of enactment of this Act may, by written agreement, transfer a parcel of Federal land located in the Presidio of San Francisco, California, to another Federal department or agency.

(2) The transfer of property under subsection (a) shall be subject to existing agreements to which the parcel of land is subject, and legal description of the real property to be transferred under subsection (a) as the location for an Air Force morale, welfare, and recreation facility.

(b) USE OF TRANSFERRED LAND.—(1) The Secretary of the Air Force may use the real property transferred under subsection (a) as the location for an Air Force morale, welfare, and recreation facility.

(2) The Secretary of the Air Force may return the transferred property (or property acquired pursuant to subsection (c)) to the administrative jurisdiction of the Secretary of the Interior at any time upon certifying that development of the morale, welfare, and recreation facility would not be in the best interests of the Government.

(c) SUBSEQUENT CONVEYANCE AUTHORITY.—(1) In lieu of developing the Air Force morale, welfare, and recreation facility on the real property transferred under subsection (a), the Secretary of the Air Force may convey or lease the property to the Secretary of the Army for the construction of a facility on the parcel of land to be used as the site of the facility.

(2) The values of the properties exchanged by the Secretary of the Air Force shall be equal, or if they are not equal, the values shall be equalized by the payment of money to the Secretary of the Army to bring the values of the properties exchanged equal.

(d) ADDITIONAL TERMS AND CONDITIONS.—The Secretary of the Air Force may require such additional terms and conditions as the Secretary of the Air Force considers appropriate to protect the interests of the United States.

SEC. 2862. TRANSFER OF JURISDICTION FOR DEVELOPMENT OF AIR FORCE MORALE, WELFARE, AND RECREATION FACILITY, PARK CITY, UTAH.

(a) TRANSFER AUTHORIZED.—(1) The Secretary of the Interior may transfer, without reimbursement, any property to the Department of the Army to construct, and operate the facility.

(2) The transfer shall be subject to existing rights, except that the Secretary of the Interior shall terminate any lease with respect to the parcel issued under the Act of June 14, 1926 (43 U.S.C. 689 et seq.), and in such manner as to be in the best interests of the United States.

(3) The term “Air Force Memorial” means the parcel of Federal land located in Arlington County, Virginia, that is currently administered by the Secretary of the Interior within the boundaries of Arlington National Cemetery and is identified as “Section 29”.

(b) USE OF ARLINGTON NAVAL ANNEX AS SITE FOR AIR FORCE MEMORIAL.

(1) AVAILABILITY OF SITE.—The Secretary of Defense shall transfer to the Secretary of the Army for such length of time as is requested by the Secretary of the Army in existence as of the date of enactment of this Act, the land made available under paragraph (1) as the site of the facility.

(2) SUBJECT TO EXISTING RIGHTS.—Nothing in this subsection alters the legal prohibition on the use of any previously approved location, shall not apply if the Secretary of the Army determines that it is impracticable to construct the Air Force Memorial on such land on account of the geological nature of the land.

(c) RELATION TO OTHER TRANSFER AUTHORITY.—Not later than six months after the date of the enactment of this Act, the Secretary of Defense shall transfer to the Secretary of the Army the parcel of Federal land in Arlington, Virginia, that is currently administered by the Secretary of the Interior within the boundaries of Arlington National Cemetery and is identified as “Section 29”.

SEC. 2863. ALTERNATE SITE FOR UNITED STATES AIR FORCE MEMORIAL.

(a) AUTHORIZATION—OPEN SPACE ON ARLINGTTON RIDGE TRACT, AND RELATED LAND TRANSFER AT ARLINGTTON NA TIONAL CEMETARY, VIRGINIA.

(1) DEFINITIONS.—In this section:

(A) “Memorial” means the parcel of Federal land located in Arlington County, Virginia, that is subject to transfer to the Secretary of the Army; and

(B) “United States Air Force Memorial” means the parcel of Federal land located in Arlington County, Virginia, that is subject to transfer to the Secretary of the Army.

(b) USE OF ARLINGTON NAVAL ANNEX AS SITE FOR AIR FORCE MEMORIAL.

(1) AVAILABILITY OF SITE.—The Secretary of Defense may return the land made available under paragraph (1) as the site of the facility.

(2) SUBJECT TO EXISTING RIGHTS.—Nothing in this subsection alters the legal prohibition on the use of any previously approved location, shall not apply if the Secretary of the Army determines that it is impracticable to construct the Air Force Memorial on such land on account of the geological nature of the land.

(3) RELATION TO OTHER TRANSFER AUTHORITY.—Not later than six months after the date of the enactment of this Act, the Secretary of Defense shall transfer to the Secretary of the Army the parcel of Federal land in Arlington, Virginia, that is currently administered by the Secretary of the Interior within the boundaries of Arlington National Cemetery and is identified as “Section 29”.

(c) SITE PREPARATION.—(1) PREPARATION FOR CONSTRUCTION.—Upon receipt of notification from the Foundation that the Foundation has sufficient funds to commence construction of the Air Force Memorial, the Secretary of Defense, in coordination with the Foundation, shall transfer to the Department of the Army Federal Office Building #2 at the Arlington Naval Annex, as well as its associated outbuilding and parking lot, and prepare the land made available under subsection (b) as the site of the Air Force Memorial. In addition to demolition and removal, such site preparation work may include environmental remediation, installation of water, sewer, telephone, electrical, and storm water management infrastructure necessary for the memorial, installation of sidewalks consistent with the design of the memorial complies with the requirements of the Americans with Disabilities Act of 1990 (42 U.S.C. 12101 et seq.), and the placement of screening bars and materials pursuant to section 2801 of the Military Construction Authorization Act for Fiscal Year 2000.

(2) FUNDING SOURCE.—The Secretary of Defense shall use amounts appropriated for operation and maintenance to carry out the demolition and site preparation described in paragraph (1).

(3) ASSISTANCE FOR DISPLACED PERSONS.—The Secretary of Defense shall use amounts appropriated for operation and maintenance to carry out the demolition and site preparation described in paragraph (1).

(4) CONSTRUCTION.—(1) The Secretary of Defense may authorize the contractor to agree to design, construct, and operate the facility.

(2) The Secretary of Defense shall approve the design and construction of the facility.

(3) The Secretary of Defense shall complete the demolition and removal of the structures and such site preparation work as the Secretary agrees to undertake under this subsection.

(4) The term “Air Force Memorial” means the parcel of Federal land located in Arlington County, Virginia, that is subject to transfer to the Secretary of the Army.
United States, to replace offices lost as a result of the demolition of Wing 8 of Federal Office Building #2 at the Arlington National Annex.

(d) CONSTRUCTION OF AIR FORCE MEMORIAL.—

(1) COMMENCEMENT.—Upon the demolition and removal of the structures required to be removed under subsection (c)(1), the Secretary of Defense shall enter into an agreement with the Foundation to commence construction of the Air Force Memorial on the Arlington National Annex site made available under subsection (b).

(2) USE OF FOLLOWING SITE.—The Secretary of Defense shall have exclusive authority in all matters relating to approval of the siting and design of the Air Force Memorial on the Arlington Annex site, and the siting, design, and construction of the memorial on such site shall not be subject to the requirements of the Commemorative Works Act (40 U.S.C. 1001 et seq.).

(e) ACCESS AND MANAGEMENT OF AIR FORCE MEMORIAL.—The Secretary of the Army shall enter into an agreement with the Foundation to provide for management, maintenance, and repair of the Air Force Memorial constructed on the Arlington Annex site made available under subsection (b), the Secretary of Defense may revoke the authority of the Foundation to use the site as the location of the memorial.

(f) LIMITATION ON USE OF ARLINGTON ANNEX AS SITE FOR OTHER MEMORIALS OR MEMORIALS.—Section 2811(b) of the Military Construction Authorization Act for Fiscal Year 2000 (division B of Public Law 106–55) is amended by striking paragraph (2) and inserting the following new paragraph (2):

"(2) The Secretary of Defense shall reserve not more than four acres of the Navy Annex property south of the existing Columbia Pike as a site for—

(A) a National Military Museum, if such site is recommended for such purpose by the Commission on the National Military Museum established under section 2901 and the Secretary of Defense considers such site compatible with the Arlington National Cemetery and the Air Force Memorial;

(B) such other memorials or museums that the Secretary of Defense considers compatible with the Arlington National Cemetery and the Air Force Memorial; or

(g) PRESERVATION OF ARLINGTON RIDGE TRACT.—

(1) GENERAL RULE.—After the date of the enactment of this Act, no additional structure or memorials shall be constructed on the Arlington Ridge tract.

(2) OPTION FOR FUTURE BURIALS.—Paragraph (1) does not prohibit the eventual use of a portion of the Arlington Ridge tract as a location for in-ground burial sites and columbarium for the burial of individuals eligible for burial in Arlington National Cemetery, if the development of such sites is specifically authorized in a law enacted after the date of the enactment of this Act.

(h) LAND TRANSFER, SECTION 29.—

(1) TRANSFER REQUIRED.—Not later than 30 days after the date of the enactment of this Act, the Secretary of the Interior shall transfer, without reimbursement, to the Secretary of the Army administrative jurisdiction over that portion of Section 29 designated as the inner zone consisting of approximately 12 acres. The Secretary of the Interior shall modify the boundaries of the George Washington Memorial Parkway as may be necessary to reflect the land transfers required by this subsection.

(2) USE OF TRANSFERRED LAND.—The Secretary of the Army shall use the transferred property for the development of in-ground burial sites and columbarium that are designed to meet the contours of Section 29.

(3) MANAGEMENT OF REMAINDER.—The Secretary of the Interior shall manage the portion of Section 29 not transferred under this subsection in perpetuity to provide a natural setting and visual buffer for Arlington House, the Robert E. Lee Memorial, and the George Washington Memorial Parkway.

(4) REPEAL OF OBSCURE LAW.—Section 2821(a) of the Military Construction Authorization Act for Fiscal Year 1997 (division B of Public Law 104–201) is repealed.

SEC. 2864. ESTABLISHMENT OF MEMORIAL TO VICTIMS OF TERRORIST ATTACK ON PENTAGON. SEC. 2856. REPAIR OF DAMAGE CAUSED BY PENTAGON RESERVATION BY THE TERRORIST ATTACK.

(a) MEMORIAL AUTHORIZED.—The Secretary of Defense may establish a memorial at the Pentagon Reservation dedicated to the victims of the terrorist attack on the Pentagon that occurred on September 11, 2001. The Secretary shall use necessary amounts in the Pentagon Reservation Maintenance Revolving Fund established by section 264(e) of title 19, United States Code, including amounts deposited in the Fund under subsection (c), to plan, design, construct, and maintain the memorial.

(b) ACCEPTANCE OF CONTRIBUTIONS.—The Secretary of Defense may accept monetary contributions made for the purpose of assisting in—

(1) the establishment of the memorial to the victims of the Pentagon attack;

(2) the repair of the damage caused to the Pentagon Reservation by the terrorist attack.

(c) DEPOSIT OF CONTRIBUTIONS.—The Secretary of Defense shall deposit contributions accepted under subsection (b) in the Pentagon Reservation Maintenance Revolving Fund. The contributions shall be available for expenditure only for carrying out paragraph (1) of subsection (b) of this section.

SEC. 2865. REPEAL OF LIMITATION ON COST OF RENOVATION OF PENTAGON RESERVATION.


SEC. 2866. DEVELOPMENT OF UNITED STATES ARMY HERITAGE AND EDUCATION CENTER AT CARLISLE BARRACKS, PENNSYLVANIA.

(a) AUTHORITY TO ENTER INTO AGREEMENT.—

(1) The Secretary of the Army may enter into an agreement with the United States Army Heritage and Education Foundation for the design, construction, and operation of a facility for the United States Army Heritage and Education Center at Carlisle Barracks, Pennsylvania (in this section referred to as the "facility").

(2) The facility is to be used for curation and storage of archives, research facilities, classrooms, and offices, and for education and other activities, agreed to by the Secretary, relating to the heritage of the Army. The facility may also be used to support such education and training as the Secretary considers appropriate.

(b) DESIGN.—The design of the facility shall be subject to the approval of the Secretary. At the election of the Secretary, the Secretary may—

(1) accept, from the United States Military Heritage Foundation for the design and construction of the facility; or

(2) permit the Military Heritage Foundation to contract for the design and construction of the facility.

(c) ACCEPTANCE OF FACILITY.—(1) Upon satisfaction of any and all financial obligations incident thereto by the Military Heritage Foundation, the Secretary shall accept the facility from the Military Heritage Foundation and all right, title, and interest in and to the facility shall vest in the United States.

(2) Upon becoming property of the United States, the facility shall be under the jurisdiction of the Secretary.

(d) USE OF CERTAIN GIFTS.—(1) Under regulations prescribed by the Secretary, the Commandant of the Army War College may, without regard to section 2601 of title 10, United States Code, accept, hold, receive, and spend any gift, devise, or bequest of personal property of a value of $250,000 or less made to the United States if such gift, devise, or bequest is for any of the United States Army Heritage and Education Center.

(2) The Secretary may pay or authorize the payment of any reasonable and necessary expenses incurred in connection with the acceptance, transfer of a gift, devise, or bequest under this subsection.

(c) ADDITIONAL TERMS AND CONDITIONS.—The Secretary may require such additional terms and conditions in connection with the agreement authorized to be entered into by subsection (a) as the Secretary considers appropriate to protect the interests of the United States.

SEC. 2867. EFFECT OF LIMITATION ON CONSTRUCTION OF ROADS OR HIGHWAYS ON MARINE CORPS BASE, CAMMP PENDLETON, CALIFORNIA.

Section 2651(a) of the Military Construction Authorization Act for Fiscal Year 2000 (division B of Public Law 105–261; 112 Stat. 2219) is amended in the first sentence by inserting after "maintain" the following: "notwithstanding the provisions of section 2206 of the Strom Thurmond National Defense Authorization Act for Fiscal Year 1999 (Public Law 105–261; 112 Stat. 2225)."

SEC. 2868. ESTABLISHMENT OF WORLD WAR II MEMORIAL AT ADDITIONAL LOCATION ON GORGE.

Section 2806 of the Military Construction Authorization Act for Fiscal Year 2001 (division B of the Spence Act; 114 Stat. 1654A–441) is amended—

(1) in subsection (a), by inserting "and on Federal lands near Yigo," after "Fena Caves"; and

(2) in the heading of subsection (b), by striking "MORIAL AT ADDITIONAL LOCATION ON GORGE" and inserting "MEMORIAL AT ADDITIONAL LOCATION ON GORGE".

SEC. 2869. DEMONSTRATION PROJECT FOR PURCHASE OF FIRE, SECURITY, POLICE, PUBLIC WORKS, AND UTILITY SERVICES FROM LOCAL GOVERNMENT AGENCIES.

(a) EXTENSION.—Subsection (c) of section 816 of the National Defense Authorization Act for Fiscal Year 1995 (Public Law 103–337; 109 Stat. 338) is amended—

(1) by adding after "NDAA" the following: "NDAA-Thorndom National Defense Authorization Act for Fiscal Year 1999 (Public Law 105–261; 112 Stat. 2225)," and on September 30, 2001, and inserting in the heading of subsection (b), by striking "MORIAL" and inserting "MEMORIAL"; and

(c) in subsections (b) and (c), by striking "memorial" each place it appears and inserting "memorials".

SEC. 2870. REPORT ON FUTURE LAND NEEDS OF UNITED STATES MILITARY ACADEMY, NEW YORK, AND ADJACENT COMMUNITY.

(a) REPORT REQUIRED.—Not later than February 1, 2002, the Secretary of the Army shall submit to Congress a report evaluating the future needs of the United States Military Academy (or lands suitable for use for the Army) and the feasibility of making unneeded lands available to the Village of Highland Falls, New York, through fee simple conveyance, long-term lease under section 207 of title 10, United States Code, or other means.

(b) CONSIDERATION.—The Secretary shall prepare the report in consultation with appropriate officials of the Village of Highland Falls.

SEC. 2871. NAMING OF PATRICIA C. LAMAR ARMY NATIONAL GUARD READINESS CENTER, OHIO.

The Oxford Army National Guard Readiness Center, Oxford, Mississippi, shall be known and
designated as the “Patricia C. Lamar Army National Guard Readiness Center.” Any reference to that readiness center in any law, regulation, map, document, record, or other paper of the United States shall be considered to be a reference to the Patricia C. Lamar Army National Guard Readiness Center.

**TITLE XXIX—FORT IRWIN MILITARY LAND WITHDRAWAL**

**Sec. 2901. Short title.**

Withdrawal and reservation of lands for National Training Center.

**Sec. 2902. Map and legal description.**

Withdrawal and reservation of lands for National Training Center.

**Sec. 2903. Map and legal description.**

Withdrawal and reservation of lands for National Training Center.

**Sec. 2904. Management of withdrawn and reserved lands.**

Withdrawal and reservation of lands for National Training Center.

**Sec. 2905. Water rights.**

Withdrawal and reservation of lands for National Training Center.

**Sec. 2906. Environmental compliance and environmental requirements.**

Withdrawal and reservation of lands for National Training Center.

**Sec. 2907. Use of mineral materials.**

Withdrawal and reservation of lands for National Training Center.

**Sec. 2908. Release of wilderness study areas.**

Withdrawal and reservation of lands for National Training Center.

**Sec. 2909. Training activity separation from public use.**

Withdrawal and reservation of lands for National Training Center.

**Sec. 2910. Duration of withdrawal and reservation.**

Withdrawal and reservation of lands for National Training Center.

**Sec. 2911. Extension of initial withdrawal and reservation.**

Withdrawal and reservation of lands for National Training Center.

**Sec. 2912. Termination and relinquishment.**

Withdrawal and reservation of lands for National Training Center.

**Sec. 2913. Delegation of authority.**

Withdrawal and reservation of lands for National Training Center.

**Sec. 2914. Acquisition of reserved water rights.**

Withdrawal and reservation of lands for National Training Center.

**Sec. 2915. Other water and mineral water rights.**

Withdrawal and reservation of lands for National Training Center.

**Sec. 2916. Environmental compliance and environmental requirements.**

Withdrawal and reservation of lands for National Training Center.

**Sec. 2917. Use of mineral materials.**

Withdrawal and reservation of lands for National Training Center.
December 12, 2001

SEC. 2907. WEST MOJAVE COORDINATED MANAGEMENT PLAN.

(a) Compensation.—The Secretary of the Interior shall make every effort to complete the West Mojave Coordinated Management Plan not later than two years after the date of the enactment of this Act.

(b) Consideration of Withdrawal and Reservation Impacts.—The Secretary of the Interior shall ensure that the West Mojave Coordinated Management Plan considers the impacts of the availability or nonavailability of the lands withdrawn and reserved by this title on the plan as a whole.

SEC. 2908. RELEASE OF WILDERNESS STUDY AREAS.

Congress hereby finds and directs that lands withdrawn and reserved by this title have been adequately studied for wilderness designation pursuant to the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1782(c)), and are no longer subject to the requirement of such sections pertaining to the management of study areas in a manner that does not impair the suitability of such areas for preservation as wilderness.

SEC. 2909. TRAINING ACTIVITY SEPARATION FROM UTILITY CORRIDORS.

(a) REQUIRED SEPARATION.—All military ground activity training on the lands withdrawn and reserved by this title shall remain at least 500 meters from any utility system, in existence as of the date of the enactment of this Act, in Utility Planning Corridor D, as described in the California Desert Conservation Area Plan, dated January 21, 1981, as amended.

(b) EXCEPTION.—Subsection (a) does not modify the use of any lands used, as of the date of the enactment of this Act, by the National Training Center for training or alter any right of access granted by interagency agreement.

SEC. 2910. DURATION OF WITHDRAWAL AND RESERVATION.

(a) TERMINATION DATE.—Unless extended pursuant to section 2911, until relinquishment is postponed by the Secretary of the Interior pursuant to section 2912(d), the withdrawal and reservation made by this title shall terminate 25 years after the date of the enactment of this Act.

(b) TERMINATION OF THE AVAILABILITY FOR APPROPRIATION.—At the time of termination of the withdrawal and reservation made by this title, the previously withdrawn lands shall not be open to any forms of appropriation under the general land laws, including the mining laws and the mineral and geothermal leasing laws, until the Secretary of the Interior publishes in the Federal Register an appropriate order specifying the date upon which such lands shall be restored to the public domain and opened.

SEC. 2911. EXTENSION OF INITIAL WITHDRAWAL AND RESERVATION.

(a) NOTIFICATION REQUIREMENT.—Not later than three years before the termination date specified in section 2910(a), the Secretary of the Army shall notify Congress and the Secretary of the Interior whether the Army will have a continuing military need beyond the termination date, for any portion of the lands withdrawn and reserved by this title.

(b) PROCEDURE FOR EXTENSION OF WITHDRAWAL AND RESERVATION.

(1) CONSULTATION AND APPLICATION.—If the Secretary of the Army determines that there will be a continuing military need after the termination date, the Secretary of the Army shall—

(A) consult with the Secretary of the Interior concerning any adjustments to be made to the extent of, or to the allocation of management responsibilities for, such needed lands; and

(B) file with the Secretary of the Interior, within one year after the notice required by subsection (a), an application for extension of the withdrawal and reservation of such needed lands.

(2) APPLICATION REQUIREMENTS.—Notwithstanding any general procedure of the Department of the Interior for processing Federal land withdrawals and reservations for extension of the withdrawal and reservation made by this title shall be considered to be complete if the application includes the information required by section 2912(b) and is submitted not less than 10 years before the date of the enactment of this Act.

(3) CERTIFICATION OF NEED.—The Secretary of the Army shall certify to the Secretary of the Interior that there will be a continuing military need after the date of the enactment of this Act.

(4) LIMITATION ON SUBSEQUENT AVAILABILITY.—Any land withdrawn and reserved under this title shall be restored to the public domain and subsistence use, or returned to the Federal government if the Secretary of the Army determines that there will be no continuing military need after the date of the enactment of this Act.

(5) APPLICATION FOR EXTENSION AND NOTICE.—A proposed extension shall be accompanied by a supplemental environmental statement covering the proposed extension.

(6) REVIEW.—The application and supplemental environmental statement shall be reviewed by the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1731 et seq.) and shall not be approved unless the Secretary of the Interior determines that there will be a continuing military need after the date of the enactment of this Act.

(b) LIMITATION ON SUBSEQUENT AVAILABILITY.

SEC. 2912. TERMINATION AND RELINQUISHEMENT.

(a) NOTICE OF TERMINATION.—During the first 22 years of the withdrawal and reservation made by this title, if the Secretary of the Army determines that there is no continuing military need for any of the lands withdrawn and reserved by this title, or any portion of such lands, the Secretary of the Interior shall submit to the Secretary of the Army a notice of intent to relinquish jurisdiction over such lands. The notice shall specify the proposed date of relinquishment.

(b) ACCEPTANCE OF JURISDICTION.—The Secretary of the Army may accept jurisdiction over such lands for administration purposes, upon the written approval of the Secretary of the Interior, in a manner that does not impair the suitability of the lands for preservation as wilderness.

SEC. 2913. DELEGATION OF AUTHORITY.

(a) SECRETARY OF THE ARMY.—The Secretary of the Army may delegate his authority under this title to the Deputy Secretary of the Army, the Assistant Secretary of the Army, or the Director of the Army National Guard, as he may determine appropriate to carry out this title.

(b) SECRETARY OF THE INTERIOR.—The functions of the Secretary of the Interior under this title may be delegated, except that the order described in section 2912(c)(5) may be approved and signed only by the Secretary of the Interior, the Deputy Secretary of the Interior, or an Assistant Secretary of the Department of the Interior.

TITLE XXX—REALIGNMENT AND CLOSURE OF MILITARY INSTALLATIONS AND PREPARATION OF INFRASTRUCTURE PLAN FOR THE NUCLEAR WEAPONS COMPLEX


Sec. 3002. Selection criteria.

Sec. 3003. Revised procedures for making recommendations and closures and commission consideration of recommendations.

Sec. 3004. Limitations on privatization in place.

Sec. 3005. Department of Defense Base Closure Account.

Sec. 3006. Implementation of closure and recommendations.

Sec. 3007. Technical and clarifying amendments.

Sec. 3008. Preparation of infrastructure plan for nuclear weapons complex.

Sec. 3009. Authorization of round of realignments and closures of military installations in 2005.

The Defense Base Closure and Realignment Act of 1990 (part A of title XXIX of Public Law 101–166; 10 U.S.C. 2675 note) is amended by adding after the last occasion at which the Armed Forces based on an assessment by the Secretary of the Army, to support the national security during the 20-year period beginning with fiscal year 2005, the probable end-strength levels and major military force units (including land force divisions, carrier and other major combatant vessels, air wings, and other comparable units) needed to meet these threats, and the anticipated levels of funding that will be available for national defense purposes during such period.

(b) A comprehensive inventory of military installations worldwide, for each military department, with specifications of the number and type of facilities in the active and reserve forces of each military department.

(2) RELATIONSHIP OF PLAN AND INVENTORY.—Using the force-structure plan and infrastructure inventory prepared under paragraph (1), the Secretary shall prepare (and include as part of the submission of such plan and inventory) the following:

(A) A description of the infrastructure necessary to support the force structure described in the force-structure plan and the inventory of facilities prepared under paragraph (1).

(B) A discussion of categories of excess infrastructure and infrastructure capacity.

(C) An evaluation of the infrastructure planning required under section 3001, and the effect of the closure or realignment of military installations to reduce excess infrastructure.

(3) SPECIAL CONSIDERATIONS.—In determining the level of needed versus excess infrastructure under paragraph (2), the Secretary shall consider the following:

(4) WRITING OF MEMORANDUM.—The Secretary shall submit to Congress a report that describes the results of his efforts to prepare the infrastructure plan and inventory, an explanation of his evaluation of the level of military installations necessary to support the force structure described in the force-structure plan and the inventory of facilities prepared under paragraph (1), and a description of the infrastructure in excess of what is necessary to support the force structure described in the force-structure plan and the inventory of facilities prepared under paragraph (1).
“(A) The anticipated continuing need for and availability of military installations outside the United States, taking into account current restraints on the use of military installations outside the United States and the potential for future prohibitions or restrictions on the use of such military installations.

(B) Any efficiencies that may be gained from joint use by more than one branch of the Armed Forces at a military installation.

(4) REVISION.—The Secretary may revise the force-structure plan and infrastructure inventory, if the Secretary makes such a revision, the Secretary shall submit the revised plan or inventory to Congress as part of the budget justification documents submitted to Congress for fiscal year 2005.

(5) CERTIFICATION OF NEED FOR FURTHER CLOSURES AND REALIGNMENTS.—

(A) CERTIFICATION REQUIRED.—On the basis of the force-structure plan and infrastructure inventory prepared under subsection (a) and the descriptions and economic analysis prepared under such section, the Secretary shall include as part of the submission of the plan and inventory—

(1) a certification regarding whether the need exists for or retention of additional military installations; and

(2) if such need exists, that the additional round of closures and realignments will include Army, Navy, Air Force, and Marine Corps forces, missions, and personnel.

(B) The Secretary does not include the certifications required in subparagraphs (A) and (B) of section 2912 as part of the budget justification documents submitted to Congress for fiscal year 2005.

(C) PROVISION.—If the Secretary submits the plan or inventory required under subsection (a) to Congress later than fiscal year 2011.

(2) EFFECT OF FAILURE TO CERTIFY.—If the Secretary fails to certify as required under paragraph (1), the process by which military installations may be selected for closure or realignment under this part in 2005 shall be terminated.

(3) APPOINTMENT OF COMMISSION.—

(A) The President shall appoint to Congress within 60 days after the date on which the force-structure plan and infrastructure inventory are submitted to Congress.

(B) The need for the closure or realignment of additional military installations.

(2) SUBMISSION.—The Comptroller General shall submit to Congress within 60 days after the date on which the force-structure plan and infrastructure inventory are submitted to Congress.

(3) CERTIFICATION.—

(A) In making recommendations to the Commission in the form of recommendations referred to in section 2902(c), the Secretary shall include a statement of the result of the consideration of the selection criteria prepared under such section, the selection criteria prepared under such section, shall not apply with respect to the making of recommendations for the closure or realignment of military installations under this part in 2005.

(B) The Secretary shall publish in the Federal Register and transmit to the congressional defense committees the criteria prepared by the Secretary in making recommendations for the selection of military installations that would result in annual net savings for the additional round of closures and realignments.

(2) IN GENERAL.—Notwithstanding section 2903(b), the Secretary shall not prepare a report or recommend the selection of bases that would result in annual net savings for any period during the term of the Commission under this part in 2005.

(3) MILITARY VALUE AS PRIMARY CONSIDERATION.—The selection criteria prepared by the Secretary shall ensure that military value is the primary consideration in the making of recommendations for the closure or realignment of military installations under this part in 2005.

(4) Preservation of training areas suitable for maneuver by ground, naval, or air forces to ensure the readiness of the Armed Forces.

(5) Preservation of military installations in the United States as staging areas for the use of the Armed Forces in homeland defense missions.

(6) Preservation of military installations throughout a diversity of climate and terrain areas in the United States for training purposes.

(7) The impact on joint warfighting, training, and readiness.

(8) Contingency, mobilization, and future force requirements of the Armed Forces;

(9) Potential receiving locations to support operations and training.

(10) Special considerations.

(11) The extent and timing of potential costs and savings, including the number of years, beginning with the date of completion of the closure or realignment, for the savings to exceed the costs.

(12) The economic impact on existing communities in the vicinity of military installations.

(13) The potential impact of potential receiving communities' infrastructure to support forces, missions, and personnel.

(14) The impact of costs related to environmental restoration, waste management, and environmental compliance activities.

(15) The impact of costs related to environmental restoration, waste management, and environmental compliance activities.

(16) EFFECT ON DEPARTMENT AND OTHER AGENCY COSTS.—Any selection criteria proposed by the Secretary under this section shall require that the Department of Defense publish in the Federal Register an explanation of the basis for the proposed cost savings or return on investment from the proposed closure or realignment of military installations that would take into account the effect of the proposed closure or realignment of military installations on the costs and activities of the Department of Defense and any other Federal agency that may be required to assume responsibility for activities at the military installations.

(17) Final Selection Criteria.—The Secretary shall publish in the Federal Register and transmit to the congressional defense committees the final criteria to be used in making recommendations for the closure or realignment of military installations under this part in 2005.

(18) RELATION TO CRITERIA FOR EARLIER ROUND.—The Secretary shall provide a statement of the result of the consideration of the selection criteria prepared under section 2902(b), the Secretary shall submit the revised plan to the congressional defense committees and the Commission, not later than May 16, 2005, a list of the military installations inside the United States that the Secretary recommends for closure or realignment on the basis of the force-structure plan and infrastructure inventory prepared by the Secretary under section 2912 and the final selection criteria prepared by the Secretary under section 2902.

(19) PREPAREDNESS OF RECOMMENDATIONS.—

(A) IN GENERAL.—The Secretary shall comply with paragraphs (2) through (6) of section 2903(c) in preparing and transmitting the recommendations under this section.

(B) Notwithstanding the requirement in subparagraph (A), the Secretary shall make the recommendations referred to in that subparagraph based on the force-structure plan, infrastructure inventory, and final selection criteria otherwise applicable to such recommendations.

(C) The recommendations shall include a statement of the result of the consideration of any notice described in subparagraph (A) that is received with respect to a local government in the vicinity of a military installation that the government would approve of the closure or realignment of the installation.

(20) RECOMMENDATIONS TO RETAIN BASES IN INACTIVE STATUS.—In making recommendations for the closure or realignment of military installations, the Secretary may recommend that an installation be placed in an inactive status if the Secretary determines that—

(1) the installation may be needed in the future, or

(2) the retention of the installation is otherwise in the interest of the United States.

(21) COMMISSION REVIEW AND RECOMMENDATIONS.—

(A) The Defense Base Closure and Realignment Act of 1990 (title XXIX of Public Law 101–510; 10 U.S.C. 2671 note) is amended by inserting after section 2912, as added by section 3001, the following new section:

SEC. 3002. SELECTION CRITERIA.

(1) IN GENERAL.—Not later than December 31, 2005, the Secretary shall publish in the Federal Register and transmit to the congressional defense committees the criteria proposed by the Secretary in making recommendations for the closure or realignment of military installations inside the United States under this part in 2005.

(2) PUBLIC COMMENT.—The Secretary shall provide an opportunity for public comment on the proposed criteria for a period of at least 30 days and shall include notice of that opportunity in the publication required under this subsection.

(3) MILITARY VALUE AS PRIMARY CONSIDERATION.—The selection criteria prepared by the Secretary shall ensure that military value is the primary consideration in the making of recommendations for the closure or realignment of military installations under this part in 2005.

(4) Preservation of training areas suitable for maneuver by ground, naval, or air forces to ensure the readiness of the Armed Forces.

(5) Preservation of military installations in the United States as staging areas for the use of the Armed Forces in homeland defense missions.

(6) Preservation of military installations throughout a diversity of climate and terrain areas in the United States for training purposes.

(7) The impact on joint warfighting, training, and readiness.

(8) Contingency, mobilization, and future force requirements of the Armed Forces;

(9) Potential receiving locations to support operations and training.

(10) Special considerations.

(11) The extent and timing of potential costs and savings, including the number of years, beginning with the date of completion of the closure or realignment, for the savings to exceed the costs.

(12) The economic impact on existing communities in the vicinity of military installations.

(13) The potential impact of potential receiving communities' infrastructure to support forces, missions, and personnel.

(14) The impact of costs related to environmental restoration, waste management, and environmental compliance activities.

(15) The impact of costs related to environmental restoration, waste management, and environmental compliance activities.

(16) EFFECT ON DEPARTMENT AND OTHER AGENCY COSTS.—Any selection criteria proposed by the Secretary under this section shall require that the Secretary publish in the Federal Register an explanation of the basis for the proposed cost savings or return on investment from the proposed closure or realignment of military installations that would take into account the effect of the proposed closure or realignment of military installations on the costs and activities of the Department of Defense and any other Federal agency that may be required to assume responsibility for activities at the military installations.

(17) Final Selection Criteria.—Not later than February 16, 2004, the Secretary shall publish in the Federal Register and transmit to the congressional defense committees the final criteria to be used in making recommendations for the closure or realignment of military installations under this part in 2005. Such criteria shall be the final criteria to be used, along with the force-structure plan and infrastructure inventory referred to in section 2903(b), in making such recommendations unless disapproved by an Act of Congress enacted on or before March 15, 2004.

(F) RELATION TO CRITERIA FOR EARLIER ROUND.—Section 2902(c) is amended by inserting after section 2912, as added by section 3001, the following new section:

SEC. 3003. REVISED PROCEDURES FOR MAKING RECOMMENDATIONS FOR REALIGNMENTS AND CLOSURES FOR 2005 ROUND; COMMISSION CONSIDERATION OF RECOMMENDATIONS.

(1) IN GENERAL.—...
consideration by the Commission of the recommendations transmitted by the President in 2005. The Commission’s report containing its findings and conclusions, based on a review and analysis of the Secretary’s recommendations, shall be transmitted to the President not later than September 8, 2005.

(2) AVAILABILITY OF RECOMMENDATIONS TO CONGRESS.—Not later than September 8, 2005, the Commission shall promptly provide, upon request, to any Member of Congress information used by the Commission in making its recommendations.

(3) ILLUSTRATIONS.—The Commission shall transmit the revised list of recommendations prepared by the Secretary to the congressional defense committees.


(a) IN GENERAL.—(1) If the Secretary makes the certification required by section 2923(b), there shall be established on the books of the Treasury an account to be known as the ‘‘Department of Defense Base Closure Account 2005’’. The Secretary shall be the accounting officer of the account.

(b) USE OF FUNDS.—(1) The Secretary may use funds in the Account only for the purposes described in section 2906 and the certification required under this paragraph. Funds in the Account may be transferred to the Treasury an account to be known as the ‘‘DoD Base Closure Account 1990 under section 2906A(a)’’. The Secretary shall be the accounting officer of the DoD Base Closure Account 1990.

(c) REPORTS.—(1) No later than 60 days after the termination of the authority of the Secretary to carry out a closure or realignment under this part, the Secretary shall transmit to the congressional defense committees a report containing an accounting of—

(I) any failure to carry out military construction projects that were so proposed; and

(II) any expenditures for military construction projects that were so recommended.

(2) No later than 60 days after the termination of the authority of the Secretary to carry out a closure or realignment under this part, the Secretary shall transmit to the congressional defense committees the revised list of recommendations for projects and funding levels that were included in the justification transmitted to Congress under section 2907(a), or otherwise, for the funding proposals for the Account under such fiscal year, including an explanation of—

(I) any failure to carry out military construction projects that were so proposed; and

(II) any expenditures for military construction projects that were so recommended.

(3) The fiscal year in which appropriations for such expenditures were made and the fiscal year in which funds were obligated for such expenditures.

(4) A description and explanation of the extent, if any, to which expenditures for military construction projects for the fiscal year differed from levels that were included in the justification transmitted to Congress under section 2907(a), or otherwise, for the funding proposals for the Account under such fiscal year, including an explanation of—

(I) any failure to carry out military construction projects that were so proposed; and

(II) any expenditures for military construction projects that were so recommended.

(b) DISPOSAL OR TRANSFER OF COMMISSARY STORES AND PROPERTY HELD WITH NON-APPROPRIATED FUNDS.—(1) If any real property or facility acquired, constructed, or improved (in whole or in part) with commissary store funds or nonappropriated funds is transferred or disposed of in connection with the closure or realignment of a military installation under this part the date of approval of closure or realignment of which is after January 1, 2005, no later than 60 days after the closure of the Account under subsection (a), the Secretary shall transmit to the congressional defense committees a report containing an accounting of—

(A) all the funds deposited into and expenditures from the Account under subsection (a) that were devoted under this part with respect to such installation; and

(B) any amount remaining in the Account.

(c) ACCOUNT EXCLUSIVE SOURCE OF FUNDS.—(1) In this subsection, the term ‘‘commissary store funds’’, ‘‘nonappropriated funds’’, and ‘‘nonappropriated fund instrumentality’’ shall have the meaning given those terms in section 2906(d)(4).

(2) The amount so deposited shall be equal to the depreciated value of the investment made with such funds in the acquisition, construction, or improvement of that particular real property or facility. The depreciated value of the investment is deemed to be in accordance with regulations prescribed by the Secretary.

(3) The Secretary may use amounts in the reserve account, without further appropriation, for the purpose of acquiring, constructing, and improving—

(A) commissary stores; and

(B) real property and facilities for nonappropriated fund instrumentality.

(d) DISPOSAL OF COMMISSARY STORES AND PROPERTY HELD WITH NON-APPROPRIATED FUNDS.—(1) If any real property or facility acquired, constructed, or improved (in whole or in part) with comissary store funds or nonappropriated funds is transferred or disposed of in connection with the closure or realignment of a military installation under this part the date of approval of closure or realignment of which is after January 1, 2005, no later than 60 days after the closure of the Account under subsection (a), the Secretary shall transmit to the congressional defense committees a report containing an accounting of—

(A) all the funds deposited into and expenditures from the Account under subsection (a) that were devoted under this part with respect to such installation; and

(B) any amount remaining in the Account.

(e) ACCOUNT EXCLUSIVE SOURCE OF FUNDS FOR ENVIRONMENTAL RESTORATION PROJECTS.—Except as provided in section 2906(e) with respect to funds in the Department of Defense Base Closure Account 1990 under section 2906 and except for funds deposited into the Account under subsection (a), funds appropriated to the Department of Defense Base Closure Account 1990 under section 2906(a), funds appropriated to the Department of Defense for any purpose, except for funds deposited into the Account under subsection (a), shall be used to carry out the privatization in place of a construction project in accordance with section 2906(b)(7) of this Act.

(f) PROHIBITION.—The prohibition in this subsection shall expire upon the termination of the authority of the Secretary to carry out a closure or realignment under section 2906 of this Act.

(g) DISPOSAL OR TRANSFER OF COMMISSARY STORES AND PROPERTY HELD WITH NON-APPROPRIATED FUNDS.—(1) If any real property or facility acquired, constructed, or improved (in whole or in part) with commissary store funds or nonappropriated funds is transferred or disposed of in connection with the closure or realignment of a military installation under this part the date of approval of closure or realignment of which is after January 1, 2005, no later than 60 days after the closure of the Account under subsection (a), the Secretary shall transmit to the congressional defense committees a report containing an accounting of—

(A) all the funds deposited into and expenditures from the Account under subsection (a) that were devoted under this part with respect to such installation; and

(B) any amount remaining in the Account.

(h) DISPOSAL OR TRANSFER OF COMMISSARY STORES AND PROPERTY HELD WITH NON-APPROPRIATED FUNDS.—(1) If any real property or facility acquired, constructed, or improved (in whole or in part) with commissary store funds or nonappropriated funds is transferred or disposed of in connection with the closure or realignment of a military installation under this part the date of approval of closure or realignment of which is after January 1, 2005, no later than 60 days after the closure of the Account under subsection (a), the Secretary shall transmit to the congressional defense committees a report containing an accounting of—

(A) all the funds deposited into and expenditures from the Account under subsection (a) that were devoted under this part with respect to such installation; and

(B) any amount remaining in the Account.

(i) The fiscal year in which appropriations for such expenditures were made and the fiscal year in which funds were obligated for such expenditures.

(j) A description and explanation of the extent, if any, to which expenditures for military construction projects for the fiscal year differed from levels that were included in the justification transmitted to Congress under section 2907(a), or otherwise, for the funding proposals for the Account under such fiscal year, including an explanation of—

(I) any failure to carry out military construction projects that were so proposed; and

(II) any expenditures for military construction projects that were so recommended.

(k) The fiscal year in which appropriations for such expenditures were made and the fiscal year in which funds were obligated for such expenditures.

(l) A description and explanation of the extent, if any, to which expenditures for military construction projects for the fiscal year differed from levels that were included in the justification transmitted to Congress under section 2907(a), or otherwise, for the funding proposals for the Account under such fiscal year, including an explanation of—

(I) any failure to carry out military construction projects that were so proposed; and

(II) any expenditures for military construction projects that were so recommended.

(m) The fiscal year in which appropriations for such expenditures were made and the fiscal year in which funds were obligated for such expenditures.

(n) A description and explanation of the extent, if any, to which expenditures for military construction projects for the fiscal year differed from levels that were included in the justification transmitted to Congress under section 2907(a), or otherwise, for the funding proposals for the Account under such fiscal year, including an explanation of—

(I) any failure to carry out military construction projects that were so proposed; and

(II) any expenditures for military construction projects that were so recommended.

(o) The fiscal year in which appropriations for such expenditures were made and the fiscal year in which funds were obligated for such expenditures.

(p) A description and explanation of the extent, if any, to which expenditures for military construction projects for the fiscal year differed from levels that were included in the justification transmitted to Congress under section 2907(a), or otherwise, for the funding proposals for the Account under such fiscal year, including an explanation of—

(I) any failure to carry out military construction projects that were so proposed; and

(II) any expenditures for military construction projects that were so recommended.

(q) The fiscal year in which appropriations for such expenditures were made and the fiscal year in which funds were obligated for such expenditures.

(r) A description and explanation of the extent, if any, to which expenditures for military construction projects for the fiscal year differed from levels that were included in the justification transmitted to Congress under section 2907(a), or otherwise, for the funding proposals for the Account under such fiscal year, including an explanation of—

(I) any failure to carry out military construction projects that were so proposed; and

(II) any expenditures for military construction projects that were so recommended.

(s) The fiscal year in which appropriations for such expenditures were made and the fiscal year in which funds were obligated for such expenditures.

(t) A description and explanation of the extent, if any, to which expenditures for military construction projects for the fiscal year differed from levels that were included in the justification transmitted to Congress under section 2907(a), or otherwise, for the funding proposals for the Account under such fiscal year, including an explanation of—

(I) any failure to carry out military construction projects that were so proposed; and

(II) any expenditures for military construction projects that were so recommended.

(u) The fiscal year in which appropriations for such expenditures were made and the fiscal year in which funds were obligated for such expenditures.

(v) A description and explanation of the extent, if any, to which expenditures for military construction projects for the fiscal year differed from levels that were included in the justification transmitted to Congress under section 2907(a), or otherwise, for the funding proposals for the Account under such fiscal year, including an explanation of—

(I) any failure to carry out military construction projects that were so proposed; and

(II) any expenditures for military construction projects that were so recommended.

(w) The fiscal year in which appropriations for such expenditures were made and the fiscal year in which funds were obligated for such expenditures.

(x) A description and explanation of the extent, if any, to which expenditures for military construction projects for the fiscal year differed from levels that were included in the justification transmitted to Congress under section 2907(a), or otherwise, for the funding proposals for the Account under such fiscal year, including an explanation of—

(I) any failure to carry out military construction projects that were so proposed; and

(II) any expenditures for military construction projects that were so recommended.

(y) The fiscal year in which appropriations for such expenditures were made and the fiscal year in which funds were obligated for such expenditures.

(z) A description and explanation of the extent, if any, to which expenditures for military construction projects for the fiscal year differed from levels that were included in the justification transmitted to Congress under section 2907(a), or otherwise, for the funding proposals for the Account under such fiscal year, including an explanation of—

(I) any failure to carry out military construction projects that were so proposed; and

(II) any expenditures for military construction projects that were so recommended.
(2) in subsection (b)(1), by inserting “with respect to military installations the date of approval of closure or realignment of which is before January 1, 2005,” after “section 2965”; (3) in subsection (c)(1), by inserting “(A) in the matter preceding subparagraph (A), by inserting “with respect to military installations the date of approval of closure or realignment of which is before January 1, 2005,” after “under this part”; and (B) in subparagraph (A), by inserting “with respect to such installations” after “under this part”; and (4) in subsection (d)(1), by inserting “the date of approval of closure or realignment of which is before January 1, 2005” after “under this part”; and (5) in subsection (e), by striking “Except for” and inserting “Except as provided in section 2906A as amended by this Act and funds in the Department of Defense Base Closure Account 2005 under section 2906A except for”. (c) CLERICAL AMENDMENT.—The section heading of section 2906 of that Act is amended by striking “ACCOUNT” and inserting “DEPARTMENT OF DEFENSE BASE CLOSURE ACT 1990”. SEC. 3006. IMPLEMENTATION OF CLOSURE AND REALIGNMENT DECISIONS. (a) REQUIREMENT TO RECEIVE FAIR MARKET VALUE.—Section 2905(b)(4)(B) of that Act is amended— (1) in the first sentence, by striking “shall be without consideration” in the matter preceding clause (i) and inserting “may be without consideration” and (2) by inserting after “(B)” the following new sentence: “With respect to military installations for which the date of approval of closure or realignment is after January 1, 2005, the Secretary shall seek to obtain consideration in connection with any transfer under this paragraph of property located at the installation in an amount equal to the fair market value of the property, as determined by the Secretary.”. (b) TRANSFERS IN CONNECTION WITH PAYMENT OF ENVIRONMENTAL REMEDIATION.—Section 2905(e) of that Act is amended— (1) in paragraph (1)(B), by adding at the end of the following new sentence: “The real property and facilities located at an installation approved for closure or realignment under this part after 2001 that are available for purposes other than to assist the homeless.”; (2) in paragraph (2)(A), by striking “to be paid by the recipient of the property or facilities or otherwise to be paid by the Secretary with respect to the property or facilities”; (3) by striking paragraph (6); (4) by redesignating paragraphs (3), (4), and (5) as paragraphs (4), (5), and respectively; and (5) by inserting after paragraph (2) the following new paragraph (3): (3) In the case of a property or facilities covered by a certification under paragraph (2)(A), the Secretary may pay the recipient of such property or facilities an amount equal to the lesser of— (A) the amount by which the costs incurred by the recipient of such property or facilities for all environmental restoration, waste, management, and environmental compliance activities with respect to such property or facilities exceed the fair market value of such property or facilities as specified in such certification; or (B) the amount by which the costs (as determined by the Secretary) that would otherwise have been incurred by the Secretary for such restoration, waste, management, and environmental compliance activities with respect to such property or facilities exceed the fair market value of such property or facilities as so specified.”; (c) SCOPE OF INDEMNIFICATION OF TRANSFERS IN CONNECTION WITH PAYMENT OF ENVIRONMENTAL REMEDIATION.—Paragraph (6) of section 2905(e) of that Act, as redesignated by subsection (b)(4), is amended by inserting before the period the following: “, except in the case of releases or threatened releases not disclosed pursuant to paragraph (a)”; and (d) OTHER CLARIFYING AMENDMENTS.—(1) That Act is further amended by inserting “or realignment” each place it appears in the following provisions: (A) Section 2905(b)(3). (B) Section 2905(b)(4). (C) Section 2905(b)(7)(C). (D) Section 2905(b)(7)(N). (E) Section 2910(b). (2) That Act is further amended by inserting “or realignment” each place it appears in the following provisions: (A) Section 2905(b)(3)(C)(ii). (B) Section 2905(b)(4)(B)(vi). (C) Section 2905(b)(7)(E). (D) Section 2905(b)(7)(A). (E) Section 2910(b). (F) Section 2915(b)(1)(B). (3) Section 2905(e)(1)(B) of that Act is amended by inserting “, or realigned or to be realigned,” after “closed or to be closed”.

SEC. 3007. TECHNICAL AND CLARIFYING AMENDMENTS. (a) RELATIONSHIP TO OTHER BASE CLOSURE AUTHORITY.—Section 2905(b) of the Defense Base Closure and Realignment Act of 1990 (part A of title XXIX of Public Law 101–510; 10 U.S.C. 2687 note) is amended by striking “the date of the enactment of this Act, ending on December 31, 1995,” and inserting “November 5, 1990, and ending on April 15, 2006.”. (b) COMMENCEMENT OF PERIOD FOR NOTICE OF INTEREST.—Section 2905(b)(7)(B)(i)(I) of that Act is amended by striking “that date” and inserting “the date of publication of such determination in a newspaper or general circulation in the communities in the vicinity of the installation under subparagraph (B)(ii)(IV).”.

(c) COMMITTEE NAME.—That Act is further amended by striking “National Security” and inserting “Armed Services” each place it appears in the following provisions: (A) Section 2905(e)(2)(B)(i). (B) Section 2905(b)(7)(B)(i)(IV). (c) AUTHORITY FOR EMERGENCY PLANNING, DESIGN, AND CONSTRUCTION.—(A) Section 2905(b)(3). (B) The necessity to have a residual production complex in the vicinity of Los Alamos National Laboratory for weapons activities for facilities as specified in section 3281 of the National Nuclear Security Administration Act (50 U.S.C. 2471) and the facilities of the Nuclear Waste Policy Act of 1982 (as such term is defined in section 4721 of such Act (20 U.S.C. 2460)).

DIVISION C—DEPARTMENT OF ENERGY SEC. 3008. REORGANIZATION AUTHORIZATIONS AND OTHER AUTHORIZATIONS

TITLE XXXI—DEPARTMENT OF ENERGY NATIONAL SECURITY PROGRAMS

Subtitle A—National Security Programs

Sec. 3101. National Nuclear Security Administration.

Sec. 3102. Defense environmental restoration and waste management.

Sec. 3103. Other defense activities.

Sec. 3104. Defense environmental management privatization.

Sec. 3105. Defense nuclear waste disposal.

Subtitle B—Recurring General Provisions

Sec. 3121. Reprogramming.

Sec. 3122. Limits on minor construction projects.

Sec. 3123. Limits on construction projects.

Sec. 3124. Fund transfer authority.

Sec. 3125. Authority for conceptual and construction design.

Sec. 3126. Authority for emergency planning, design, and construction activities.

Sec. 3127. Funds available for all national security programs of the Department of Energy.

Sec. 3128. Availability of funds.

Sec. 3129. Transfer of defense environmental management funds.

Sec. 3130. Transfer of weapons activities funds.

Subtitle C—Program Authorizations, Restrictions, and Limitations

Sec. 3131. Consolidation of Nuclear Cities Initiative and Other Initiatives for Nonproliferation and Proliferation Prevention Programs.

Sec. 3132. Nuclear Cities Initiative.

Sec. 3133. Authorization of funds for weapons activities for facilities and infrastructure.

Sec. 3134. Limitation on availability of funds for other defense activities for national security programs administrative support.


Sec. 3136. Support for public education in the vicinity of Los Alamos National Laboratory, New Mexico.

Sec. 3137. Reports on achievement of milestones for National Ignition Facility.

Subtitle D—Mutuals Relating to Management of the National Nuclear Security Administration

Sec. 3141. Establishment of Principal Deputy Administrator for National Nuclear Security Administration.

Sec. 3142. Elimination of requirement that national security laboratories and nuclear weapons production facilities report to Deputy Administrator for Defense Programs.

Sec. 3143. Repeal of duplicative provision relating to dual office holding by personnel of the National Nuclear Security Administration.
Subtitle E—Other Matters

Sec. 3151. Improvements to Energy Employees Occupational Illness Compensation Program.

Sec. 3152. Department of Energy counterintelligence polygraph program.

Sec. 3153. One-year extension of authority of Department of Energy to pay voluntary separation incentive payments.

Sec. 3154. Annual assessment and report on vulnerability of Department of Energy facilities to terrorist attack.

Sec. 3155. Modification of date of report of panel to assess the reliability, security, and privacy of the United States nuclear stockpile.

Subtitle F—Rocky Flats National Wildlife Refuge

Sec. 3171. Short title.

Sec. 3172. Findings and purposes.

Sec. 3173. Definitions.

Sec. 3174. Future ownership and management.

Sec. 3175. Transfer of management responsibilities and jurisdiction over Rocky Flats.

Sec. 3176. Administration of retained property; continuation of cleanup and closure.

Sec. 3177. Rocky Flats National Wildlife Refuge.

Sec. 3178. Comprehensive planning process.

Sec. 3179. Property rights.

Sec. 3180. Liabilities and other obligations.

Sec. 3181. Rocky Flats Museum.

Sec. 3182. Annual report on funding.

Subtitle A—National Security Programs Authorizations

SEC. 3101. NUCLEAR SECURITY ADMINISTRATION.

Funds are hereby authorized to be appropriated to the Department of Energy for fiscal year 2002 for the activities of the National Nuclear Security Administration in carrying out programs necessary for national security in the amount of $7,121,094,000, to be allocated as follows:

(1) WEAPONS ACTIVITIES.—For weapons activities, $5,343,981,000, to be allocated as follows:

(A) For stewardship operation and maintenance, $4,601,871,000, to be allocated as follows:

(i) For directed stockpile work, $1,002,274,000.

(ii) For campaigns, $2,074,473,000, to be allocated as follows:

(I) For operation and maintenance, $1,348,260,000.

(II) For plant projects (including maintenance, restoration, planning, construction, acquisition, modification of facilities, and the continuation of projects authorized in prior years, and land acquisition related thereto), $176,864,000, to be allocated as follows:

Project 02-D-103, engineering technology complex upgrade, Lawrence Livermore National Laboratory, Livermore, California, $4,170,000.

Project 02-D-107, electrical power systems safety communications and bus upgrades, Nevada Test Site, Nevada, $3,143,000.

Project 01-D-101, microsystems and engineering sciences applications (MESA), Sandia National Laboratories, Albuquerque, New Mexico, $39,000,000.

Project 01-D-103, preliminary project design and engineering, various locations, $16,379,000.

Project 01-D-107, Atlas relocation, Nevada Test Site, Nevada, $1,300,000.

Project 01-D-126, weapons evaluation test laboratory, Pantex Plant, Amarillo, Texas, $7,700,000.

Project 01-D-400, sensitive compartmented information facility, Lawrence Livermore National Laboratory, Livermore, California, $12,993,000.

Project 99-D-103, isotope sciences facilities, Lawrence Livermore National Laboratory, Livermore, California, $4,400,000.

Project 99-D-104, protection of real property (roof reconstruction, phase II), Lawrence Livermore National Laboratory, Livermore, California, $2,800,000.

Project 99-D-106, model validation and system certification center, Sandia National Laboratories, Albuquerque, New Mexico, $4,955,000.

Project 99-D-108, renovate existing roadways, Nevada Test Site, Nevada, $2,000,000.

Project 99-D-125, replace boilers and controls, Kansas City Plant, Kansas City, Missouri, $300,000.

Project 99-D-127, stockpile management re-engineering center, Kansas City Plant, Kansas City, Missouri, $22,200,000.

Project 99-D-128, stockpile management re-engineering center, Pantex Plant, Amarillo, Texas, $1,300,000.

Project 98-D-123, stockpile management re-engineering center, tritium facility modernization and consolidation, Savannah River Plant, Aiken, South Carolina, $13,700,000.

Project 98-D-124, stockpile management re-engineering center, Y-12 consolidation, Oak Ridge, Tennessee, $6,650,000.

Project 98-D-125, nuclear facilities upgrades, Kansas City Plant, Kansas City, Missouri, $3,000,000.

Project 96-D-102, stockpile stewardship facilities revitalization, Phase VI, various locations, $2,900,000.

(B) For secure transportation asset, $312,596,000, to be allocated as follows:

Project 01-D-407, highly enriched uranium blend-down, Savannah River Site, Aiken, South Carolina, $24,000,000.

Project 99-D-141, pit disassembly and conversion facility, Savannah River Site, Aiken, South Carolina, $11,000,000.

Project 99-D-142, mixed oxide fuel fabrication facility, Savannah River Site, Aiken, South Carolina, $63,000,000.

(i) For Russian surplus fissile materials disposition, $61,000,000.

(G) The total amount authorized by this paragraph is the sum of the amounts authorized to be appropriated by subparagraphs (A) through (F), reduced by $42,000,000, to be derived from offsets and use of prior year balances.

(2) DEFENSE NUCLEAR NONPROLIFERATION.—For defense nuclear nonproliferation activities, $776,800,000, to be allocated as follows:

(A) For nonproliferation and verification research and development, $244,306,000, to be allocated as follows:

(i) For operation and maintenance, $208,500,000.

(ii) For plant projects (including maintenance, restoration, planning, construction, acquisition, modification of facilities, and the continuation of projects authorized in prior years, and land acquisition related thereto), $35,806,000, to be allocated as follows:

Project 00-D-122, nonproliferation and international security center (NISIC), Los Alamos National Laboratory, Los Alamos, New Mexico, $35,806,000.

(B) For arms control and Russian transition initiatives, $117,141,000.

(C) For international materials protection, control, and accounting, $143,800,000.

(D) For highly enriched uranium transparence implementation, $13,950,000.

(E) For international nuclear safety, $10,000,000.

(i) For fissile materials control and disposition, $288,089,000, to be allocated as follows:

(ii) For United States surplus fissile materials disposition, $228,089,000, to be allocated as follows:

(i) For operation and maintenance, $139,089,000.

(iii) For plant projects (including maintenance, restoration, planning, construction, acquisition, modification of facilities, and the continuation of projects authorized in prior years, and land acquisition related thereto), $58,000,000, to be allocated as follows:

Project 01-D-407, highly enriched uranium blend-down, Savannah River Site, Aiken, South Carolina, $24,000,000.

Project 99-D-141, pit disassembly and conversion facility, Savannah River Site, Aiken, South Carolina, $11,000,000.

Project 99-D-142, mixed oxide fuel fabrication facility, Savannah River Site, Aiken, South Carolina, $63,000,000.

(ii) For Russian surplus fissile materials disposition, $61,000,000.

(G) The total amount authorized by this paragraph is the sum of the amounts authorized to be appropriated by subparagraphs (A) through (F), reduced by $42,000,000, to be derived from offsets and use of prior year balances.

(3) NAVAL REACTORS.—For naval reactors, $688,045,000, to be allocated as follows:

(A) For naval reactors development, $665,445,000, to be allocated as follows:

(i) For operation and maintenance, $652,245,000.

(ii) For plant projects (including maintenance, restoration, planning, construction, acquisition, modification of facilities, and the continuation of projects authorized in prior years, and land acquisition related thereto), $13,200,000, to be allocated as follows:

Project 01-D-200, major office replacement building, Schenectady, New York, $5,000,000.

Project 98-X-102, expended core facility dry cell project, Naval Reactors Facility, Idaho, $4,200,000.

(B) For program direction, $22,600,000.

(i) For operation and maintenance, $22,600,000.

(ii) For international nuclear security—For the Office of the Administrator for Nuclear Security, and for program direction for the National Nuclear Security Administration (other than for naval reactors) (A) through (F), reduced by $42,000,000, to be derived from offsets and use of prior year balances.

SEC. 3102. DEFENSE ENVIRONMENTAL RESTORATION AND WASTE MANAGEMENT.

(A) In General.—Funds are hereby authorized to be appropriated to the Department of Energy for fiscal year 2002 for environmental restoration and waste management activities in the amount of $5,622,415,000. (B) The total amount authorized by this paragraph is the sum of the amounts authorized to be appropriated by subparagraphs (A) through (D), reduced by $28,985,000, to be derived from a security charge for reimbursable work.
(1) CLOSURE PROJECTS.—For closure projects carried out in accordance with section 314 of the National Defense Authorization Act for Fiscal Year 1997 (Public Law 104-201; 110 Stat. 2363; $595,606,000, to be allocated as follows: (A) For operation and maintenance, $193,900,000. (B) For plant projects (including maintenance, restoration, planning, construction, acquisition, modification of facilities, and the continuation of projects authorized in prior years, and land acquisition related thereto), $40,666,000, to be allocated as follows: Project 01-D-402, Intec candle processing system, Idaho National Engineering and Environmental Laboratory, Idaho Falls, Idaho, $3,256,000. Project 02-D-420, plutonium stabilization and packaging, Savannah River Site, Aiken, South Carolina, $20,000,000. Project 01-D-414, preliminary project, engineering and design (P&E&D), various locations, $2,700,000,000. Project 03-D-904, health physics instrumentation laboratory, Idaho National Engineering and Environmental Laboratory, Idaho Falls, Idaho, $2,700,000,000. Project 03-D-453, plutonium stabilization and handling system for plutonium finishing plant, Richland, Washington, $1,910,000. Project 96-D-471, chloroform and carbon heating, ventilation, and air conditioning and chillier retrofit, Savannah River Site, Aiken, South Carolina, $2,344,000. Project 96-D-102, decontamination and waste treatment facility, Lawrence Livermore National Laboratory, Livermore, California, $762,000. (3) POST-2006 COMPLETION.—For post-2006 completion in carrying out environmental restoration and waste management activities necessary for national security programs, $3,263,201,000, to be allocated as follows: (A) For operation and maintenance, $1,955,979,000. (B) For uranium enrichment decontamination and decommissioning fund contribution, $420,000,000. (C) For plant projects (including maintenance, restoration, planning, construction, acquisition, modification of facilities, and the continuation of projects authorized in prior years, and land acquisition related thereto), $6,754,000, to be allocated as follows: Project 92-D-187, high-level waste removal from filled waste tanks, Savannah River Site, Aiken, South Carolina, $6,754,000. (D) For the Office of River Protection in carrying out environmental restoration and waste management activities necessary for national security programs, $882,468,000, to be allocated as follows: (A) For operation and maintenance, $322,151,000. (ii) For plant projects (including maintenance, restoration, planning, construction, acquisition, modification of facilities, and the continuation of projects authorized in prior years, and land acquisition related thereto), $569,317,000, to be allocated as follows: Project 01-D-416, waste treatment and immobilization plant, Richland, Washington, $520,000,000. Project 97-D-402, tank farm restoration and safe repository systems, Richland, Washington, $3,471,000. Project 94-D-407, initial tank retrieval system, Richland, Washington, $6,844,000. (4) TECHNOLOGY DEVELOPMENT.—For science and technology development in carrying out environmental restoration and waste management activities necessary for national security programs, $226,000,000. (5) EXCESS FACILITIES.—For excess facilities in carrying out environmental restoration and waste management activities necessary for national security programs, $3,919,030,000. (6) SAFEGUARDS AND SECURITY.—For safeguards and security in carrying out environmental restoration and waste management activities necessary for national security programs, $205,621,000. (7) PROGRAM DIRECTION.—For program direction in carrying out environmental restoration and waste management activities necessary for national security programs, $355,761,000. (B) ADJUSTMENT.—The total amount authorized or appropriated by subsection (a) to the amount of the amounts authorized to be appropriated by paragraphs (1) through (7) of that subsection, reduced by $61,702,000, of which $56,211,000 is to be reflected by an offset provided by use of prior year balances and $5,491,000 is to be derived from a security charge for reimbursable work. SEC. 3103. OTHER DEFENSE ACTIVITIES. (A) IN GENERAL.—Funds are hereby appropriated to carry out the following activities necessary for national security programs, $406,844,000. (B) POST-2006 COMPLETION.—For post-2006 completion in carrying out environmental restoration and waste management activities necessary for national security programs, $355,761,000. (C) ENVIRONMENT, SAFETY, AND HEALTH.—For the Office of Environment, Safety, and Health, $116,500,000. (D) WORKER AND COMMUNITY TRANSITION.—For worker and community transition, $22,000,000. (E) INDEPENDENT OVERSIGHT AND PERFORMANCE ASSURANCE.—For independent oversight and performance assurance, $14,904,000. (F) ENVIRONMENT, SAFETY, AND HEALTH.—For the Office of Environment, Safety, and Health, $113,307,000, to be allocated as follows: (A) For environment, safety, and health defense, $91,307,000. (B) For program direction, $22,000,000. (C) FOR WORKER AND COMMUNITY TRANSITION ASSISTANCE.—For worker and community transition assistance, $20,000,000, to be allocated as follows: (A) For worker and community transition, $18,000,000. (B) For program direction, $2,000,000. (7) OFFICE OF HEARINGS AND APPEALS.—For the Office of Hearings and Appeals, $2,893,000. (8) NATIONAL SECURITY PROGRAMS ADMINISTRATIVE SUPPORT.—For national security programs administrative support, $32,000,000. (B) ADJUSTMENT.—The amount authorized to be appropriated pursuant to subsection (a) is the total of the amounts authorized to be appropriated through (4) of that subsection, reduced by $10,712,000, of which $10,000,000 is to be reflected by an offset provided by use of prior year balances and $712,000 is to be derived from a security charge for reimbursable work.

SEC. 3104. DEFENSE ENVIRONMENT MANAGEMENT PRIVATIZATION. Funds are hereby appropriated to be appropriated to the Department of Energy for fiscal year 2002 for privatization initiatives in carrying out environmental restoration and waste management activities necessary for national security programs in the amount of $515,537,000, to be allocated as follows: Project 98-PVT-1, Paducah disposal facility, Paducah, Kentucky, $2,000,000. Project 98-PVT-2, Portsmouth disposal facility, Portsmouth, Ohio, $2,000,000.


SEC. 3105. DEFENSE NUCLEAR WASTE DISPOSAL. Funds are hereby appropriated to be appropriated to the Department of Energy for fiscal year 2002 for payment to the Nuclear Waste Fund established in section 302(c) of the Nuclear Waste Policy Act of 1982 (42 U.S.C. 10222(c)) in the amount of $200,000,000.

Subtitle B—Reprogramming General Provisions

SEC. 3121. REPROGRAMMING. (a) IN GENERAL.—Except as provided in sections 3129 and 3130, until the Secretary of Energy submits to the congressional defense committees the report referred to in subsection (b) and a period of 30 days has elapsed after the date on which such committees receive the report, the Secretary may not use funds appropriated pursuant to this program— (1) in amounts that exceed, in a fiscal year, the amount authorized for that program by this title; or (2) for which has not been presented to, or requested of, Congress. 

(b) REPORT.—(1) The report referred to in subsection (a) is a report containing a full and complete statement of the reasons why a new direction should be taken and the facts and circumstances relied upon in support of the proposed action. (2) In the computation of the 30-day period under subsection (a), there shall be excluded any day on which either House of Congress is not in session because of an adjournment of more than 3 days to a day certain.

LIMITATIONS.—(1) In any fiscal year, the Secretary may not use any amount of funds obligated pursuant to this title exceed the total amount authorized to be appropriated by this title.

(2) Funds appropriated pursuant to this title may not be used for an item for which Congress has specifically denied funds.

SEC. 3122. LIMITS ON MINOR CONSTRUCTION PROJECTS. (a) AUTHORITY.—The Secretary of Energy may carry out any minor construction project using operation and maintenance funds, or facilities and infrastructure funds, authorized by this title.

(b) ANNUAL REPORT.—The Secretary shall submit to the congressional defense committees an annual basis a report on each exercise of the authority in subsection (a) during the preceding year. Each report shall provide a brief description of each minor construction project covered by the report.

(c) COST VARIATION REPORTS TO CONGRESSIONAL COMMITTEES.—If, at any time during the construction of any minor construction project authorized by this title, the estimated cost of the project is revised and the revised cost of the project exceeds $5,000,000, the Secretary shall immediately submit to the congressional defense committees a report explaining the reasons for the cost variation.

(d) MINOR CONSTRUCTION PROJECT DEFINED.—In this section, the term “minor construction project” means any plant project not specifically authorized by law if the approved total estimated cost of the plant project does not exceed $5,000,000.

SEC. 3123. LIMITS ON CONSTRUCTION PROJECTS. (a) IN GENERAL.—Except as provided in paragraph (2), construction on a construction project may not be started or additional obligations incurred in connection with the project in any fiscal year exceeding the current estimated cost of the construction project, authorized by 3101, 3102, or 3103, or...
which is in support of national security pro-
grams of the Department of Energy and was au-
thorized by any previous Act, exceeds by more
than 25 percent the higher of—
(A) the amount authorized for the project; or
(B) the amount of the estimated cost for
the project as shown in the most recent budget jus-
tification data submitted to Congress.
(2) Any action described in paragraph (1) may be taken if—
(A) the Secretary of Energy has submitted to
the congressional defense committees a report on
the actions and the circumstances making such
action necessary; and
(B) a period of 30 days has elapsed after the
date on which the report is received by the
committee.
(3) In the computation of the 30-day period
under paragraph (2), there is excluded any day
on which either House of Congress is not in ses-
sion because of an adjournment of more than 3
days to a day certain.
(b) EXCEPTION.—Subsection (a) does not apply to
a transfer of funds to a program with an esti-
(4) Funds transferred pursuant to subsection
(a) may not be used for an item for which Con-
gress has specifically denied funds or for a new
program or project that has not been authorized
by Congress.
(c) EXEMPTION FROM REPROGRAMMING RE-
quirements.—The requirements of section 3121
shall not apply to transfers of funds pursuant to
subsection (a).
(b) NOTIFICATION.—The Secretary, acting
through the Assistant Secretary of Energy for
Environmental Management, shall notify Con-
gress of any transfer of funds pursuant to sub-
section (a) not later than 30 days after such
transfer occurs.
(e) DEFINITIONS.—In this section:
(1) The term ‘‘program or project’’ means,
with respect to a field office of the Department
of Energy, any of the following:
(A) A program referred to or a project listed in
paragraph (2) or (3) of section 3102(a).
(B) A program or project not described in sub-
paragraph (A) that is for environmental restora-
tion or waste management activities necessary
for national security programs of the Depart-
ment, that is being carried out by that office,
and for which defense environmental manage-
ment funds have been authorized and appro-
priated before the date of the enactment of this
Act.
(2) The term ‘‘defense environmental manage-
ment funds’’ means funds appropriated to the
Department of Energy pursuant to an author-
ization for carrying out environmental restora-
tion or waste management activities necessary
for national security programs.
(f) DURATION OF AUTHORITY.—The managers
of the field offices of the Department may exer-
cise the authority provided by subsection (a)
during the period beginning on October 1, 2001,
and ending on September 30, 2002.
SEC. 3120. TRANSFER OF WEAPONS ACTIVITIES
FUNDS.
(a) TRANSFER AUTHORITY FOR WEAPONS AC-
TIVITIES FUND.—The Secretary of Energy shall
notify the manager of each field office of the
Department of Energy with the authority
transfer weapons activities funds from a pro-
gram or project under the jurisdiction of that
office to another such program or project.
(b) LIMITATIONS.—(1) Not more than one
transfer may be made to or from any program or
project under subsection (a) in a fiscal year.
(2) The amount transferred to or from a pro-
gram or project in any one transfer under sub-
section (a) may not exceed $5,000,000.
(c) EXEMPTION FROM REPROGRAMMING RE-
quirements.—The requirements of section 3121
shall not apply to transfers of funds pursuant to
subsection (a) unless the manager determines that the trans-
fer—
(A) is necessary to address a risk to health,
safety, or the environment; or
(B) will result in cost savings and efficiencies.
(d) TRANSFER AUTHORITY FOR DEFENSE ENVI-
RONMENTAL MANAGEMENT FUND.—The Sec-
(4) The requirement of section 3121(b)(2) does not apply to emergency
planning, design, and construction activities conducted under section 3126.
(c) SPECIFIC AUTHORITY.—The requirement of
section 3121(b)(2) does not apply to emergency
planning, design, and construction activities conducted under section 3126.
SEC. 3121. FUNDS AVAILABLE FOR ALL NATIONAL
SECURITY PROGRAMS OF THE DE-
PARTMENT OF ENERGY.
Subject to the provisions of appropriation Acts and section 3121, amounts appropriated pursu-
ant to this title for management and support ac-
tivities and for general plant projects are avail-
able for use, when necessary, in connection with
all national security programs of the Depart-
ment of Energy.
SEC. 3130. AUTHORITY FOR CONCEPTUAL AND
CONSTRUCTION DESIGN.
(a) REQUIREMENT OF CONCEPTUAL DESIGN.—
Subject to paragraph (2) and except as pro-
vided in paragraph (3), the Secretary of Energy
shall provide the manager of each field office of
the Department of Energy with the authority
to transfer defense environmental manage-
ment funds from a program or project under the juris-
diction of that office to another such program or project.
(b) LIMITATIONS.—(1) Not more than one
transfer may be made to or from any program or
project under subsection (a) in a fiscal year.
(2) The amount transferred to or from a pro-
gram or project in any one transfer under sub-
section (a) may not exceed $5,000,000.
(c) EXEMPTION FROM REPROGRAMMING RE-
quirements.—The requirements of section 3121
shall not apply to transfers of funds pursuant to
subsection (a) unless the manager determines that the trans-
fer—
(A) is necessary to address a risk to health,
safety, or the environment; or
(B) will result in cost savings and efficiencies.
(d) TRANSFER AUTHORITY FOR DEFENSE ENVI-
RONMENTAL MANAGEMENT FUND.—The Sec-

necessary for national security programs of the Department, that is being carried out by that office, and for which weapons activities funds have been authorized and appropriated before the date of the enactment of this Act.

(2) The term ‘‘weapons activities funds’’ means funds appropriated to the Department of Energy pursuant to an authorization for carrying out weapons activities necessary for national security programs.

(f) DURATION OF AUTHORITY.—The managers of the field offices of the Department may exercise the authority under provisions permitted under subsection (a) during the period beginning on October 1, 2001, and ending on September 30, 2002.

Subtitle C—Program Authorizations, Restrictions, and Limitations

SEC. 3131. CONSOLIDATION OF NUCLEAR CITIES INITIATIVE PROGRAM WITH INITIATIVES FOR PROLIFERATION PREVENTION PROGRAM.

The Administrator for Nuclear Security shall consolidate the Nuclear Cities Initiative program with the Initiatives for Proliferation Prevention program during such fiscal year.

SEC. 3132. NUCLEAR CITIES INITIATIVE.

(a) LIMITATIONS ON USE OF FUNDS.—No funds authorized to be appropriated for the Nuclear Cities Initiative after fiscal year 2001 may be obligated or expended for the operation of three nuclear cities, or more than two serial production facilities in Russia, until 30 days after the Administrator for Nuclear Security submits to the appropriate congressional committees an agreement signed by the Russian Federation on access under the Nuclear Cities Initiative to the ten closed nuclear cities and four serial production facilities of the Nuclear Cities Initiative.

(b) ANNUAL REPORT.—(1) Not later than the first Monday in February each year, the Administrator shall submit to the appropriate congressional committees a report on financial and programmatic activities with respect to the Nuclear Cities Initiative during the preceding fiscal year.

(2) Each report shall include, for the fiscal year covered by such report, the following:

(A) A list of each project that is or was completed, ongoing, or planned under the Nuclear Cities Initiative during such fiscal year.

(B) For each project listed under subparagraph (A), information, current as of the end of such fiscal year, on the following:

(i) The total amount of funds spent on such project, the percentage of such amount spent in the United States and the percentage of such amount spent overseas.

(ii) A certification by the Administrator that each project listed under subparagraph (A) did contribute, is contributing, or will contribute, as the case may be, to the downsizing of the nuclear complex of the Russia Ministry of Atomic Energy (MINATOM) as follows:

(A) Saros (Arzamas-16 and Avangard).

(B) Zarechnyuy (Penza-19).

(C) Nizhny Tagil (Magnitogorsk-44).

(D) Lensy (Strelnovsk-45).

(E) Ozerik (Cheblyakinsk-65).

(F) Sazhino (Obninsk-70).

(G) Trehoronoroy (Zlatoust-36).

(H) Severik (Tomsk-7).

(I) Zheleznye Polyany (Krasnoyarsk-26).

(J) Zelenogorsk (Krasnoyarsk-45).

SEC. 3133. LIMITATION ON AVAILABILITY OF FUNDS FOR WEAPONS ACTIVITIES FOR FACILITIES AND INFRASTRUCTURE.

Not more than 30 percent of the funds authorized to be appropriated by section 3101(a)(B) for the National Nuclear Security Administration for weapons activities for facilities and infrastructure may be obligated or expended until the Administrator for Nuclear Security submits to the congressional defense committees a report setting forth the following:

(1) Criteria for the selection of projects to be carried out.

(2) Criteria for establishing priorities among projects so selected.

(3) A list of the projects so selected, including the priority assigned to each such project.

SEC. 3134. LIMITATION ON AVAILABILITY OF FUNDS FOR OTHER DEFENSE ACTIVITIES ADMINISTRATIVE SUPPORT.

Not more than $5,000,000 of the funds authorized to be appropriated by section 3103(a)(4) for other defense administrative support programs administrative support may be obligated or expended until the last to occur of the following:

(1) The date on which the Secretary of Energy submits to Congress a report setting forth the purposes for which the Secretary plans to obligate and expend such funds.

(2) The date on which the Administrator for Nuclear Security submits to Congress the future-years nuclear security program for fiscal year 2002 required by section 2533 of the National Nuclear Security Administration Act (title XXVII of Public Law 106–65; 50 U.S.C. 2453).

(3) The date on which the Secretary of Energy publishes a report on the feasibility of using an energy savings performance contract mechanism to offset, or possibly cover, the cost of a new office building for the Albuquerque operations of the National Nuclear Security Administration, as completed by the Secretary in accordance with the directive contained in Senate Report 106–50 (the report of the Committee on Armed Services, the Senate Committee on Appropriations, the Senate Committee on Energy and Natural Resources, and the Senate Committee on Environment and Public Works).

(4) The date on which the Secretary of Energy, the Secretary of the Treasury, and the Administrator for Nuclear Security submit to the congressional defense committees a report on the feasibility of carrying out financial obligations otherwise authorized by this Act, in a manner, the Administrator shall submit to the congressional defense committees a report setting forth the following:

(1) An evaluation of the requirements for continued payments beyond fiscal year 2003 into the endowment fund of the foundation referred to in subsection (a) to enable the foundation to support the recruitment and retention of staff at the Los Alamos National Laboratory.

(2) The Secretary’s recommendations for any further support beyond fiscal year 2003 directly to the Los Alamos Public Schools.

SEC. 3135. TERMINATION DATE OF OFFICE OF RIVER PROTECTION, RICHLAND, WASHINGTON.

Subsection (f) of section 3139 of the Strom Thurmond Nuclear Security Authorization Act for Fiscal Year 1999 (Public Law 105–261; 112 Stat. 2250), as amended by section 3141 of the Floyd D. Spence National Defense Authorization Act for Fiscal Year 2006 (Public Law 109–166; 119 Stat. 2579), is amended to read as follows:

(1) Notification of achievement.—The Administrator for Nuclear Security shall notify the congressional defense committees of the completion of the National Ignition Facility (NIF), Lawrence Livermore National Laboratory, Livermore, California, achieves each Level I milestone and Level II milestone for the National Ignition Facility.

(b) Report on failure of timely achievement.—Not later than 10 days after the date on which the National Ignition Facility fails to achieve a Level I milestone or Level II milestone for the National Ignition Facility in a timely manner, the Administrator shall submit to the congressional defense committees a report on such failure. Each such report shall contain—

(1) a statement of the failure of the National Ignition Facility to achieve the milestone concerned in a timely manner;

(2) an explanation for the failure; and

(3) either—

(A) an estimate when that milestone will be achieved; or

(B) if that milestone will not be achieved—

(ii) an explanation why that milestone will not be achieved; and (iii) recommendations for the overall scope, schedule, and budget of the National Ignition Facility project of not achieving that milestone.
December 12, 2001

H9436

CONGRESSIONAL RECORD — HOUSE

(c) LEVELS.—For purposes of this section, the Level I milestones and Level II milestones for the National Ignition Facility are as established in the August 2000 revised National Ignition Facility Schedule.

(d) TERMINATION.—The requirements of this section shall terminate on September 30, 2004.

Subtitle D—Matters Relating to Management of the National Nuclear Security Administration

SEC. 3141. ESTABLISHMENT OF PRINCIPAL DEPUTY ADMINISTRATOR OF NATIONAL NUCLEAR SECURITY ADMINISTRATION.

(a) ESTABLISHMENT.—Subtitle A of the National Nuclear Security Administration Act (title XXVI of Public Law 106-65; 50 U.S.C. 2401 et seq.) is amended—

(1) by redesignating section 3213 as section 3220 and transferring such section, as so redesignated, to the end of that subtitle; and

(2) by inserting after section 3212 the following new section 3213:

"SEC. 3213. PRINCIPAL DEPUTY ADMINISTRATOR FOR NUCLEAR SECURITY.

"(a) IN GENERAL.—(1) There is in the Administration a Principal Deputy Administrator, who is appointed by the President, by and with the advice and consent of the Senate.

(2) The Principal Deputy Administrator shall be appointed from among persons who have extensive background in organizational management and are well qualified to manage the nuclear weapons disposition programs of the Administration in a manner that advances and protects the national security of the United States.

(b) DUTIES.—Subject to the authority, direction, and control of the Administrator, the Principal Deputy Administrator shall—

(1) act for, and exercise the powers of, the Administrator if the Administrator is disabled or the position of Administrator is vacant; and

(2) by inserting ‘‘Deputy Administrator, National Nuclear Security Administration,’’ before ‘‘Principal Deputy Administrator, National Nuclear Security Administration,’’

(c) CLERICAL AMENDMENTS.—The table of contents preceding section 3201 of such Act is amended—

(1) by inserting before the item relating to Deputy Administrators of the National Nuclear Security Administration the following new item:

‘‘Principal Deputy Administrator, National Nuclear Security Administration,’’; and

(2) by inserting ‘‘Additional’’ before ‘‘Deputy Administrator, National Nuclear Security Administration’’.

SEC. 3142. ELIMINATION OF REQUIREMENT THAT ADMINISTRATION PROVIDE PERSONNEL PAY AND HIRING AUTHORITY.

(a) AMENDMENTS.—Section 3213 of the National Nuclear Security Administration Act (50 U.S.C. 2401 et seq.) is amended—

(1) by redesigning subsection (a) as subsection (b) and redesignating subsection (b) as subsection (c);

(2) by inserting after the item relating to section 3213 the following new subsection (a):

‘‘(1) There is in the Administration a Principal Deputy Administrator, who is appointed by the President, by and with the advice and consent of the Senate.

(b) DUTIES.—Subject to the authority, direction, and control of the Administrator, the Principal Deputy Administrator shall—

(i) act for, and exercise the powers of, the Administrator if the Administrator is disabled or the position of Administrator is vacant; and

(ii) by inserting ‘‘Deputy Administrator, National Nuclear Security Administration,’’ before ‘‘Principal Deputy Administrator, National Nuclear Security Administration,’’

(c) CLERICAL AMENDMENTS.—The table of contents preceding section 3201 of such Act is amended—

(1) by striking the item relating to section 3213 and inserting the following:

‘‘Sec. 3142. Principal Deputy Administrator for National Security.’’;

and

(2) by inserting after the item relating to section 3212 the following new items:

‘‘Sec. 3120. Scope of authority of Secretary of Energy to modify organization of Administration.’’;

‘‘Sec. 3121. Status of Administration and contracting personnel within Department of Energy.’’;

SEC. 3143. ELIMINATION OF REQUIREMENT THAT NUCLEAR SECURITY LABORATORIES AND NUCLEAR WEAPONS PRODUCTION FACILITIES REPORT TO DEPUTY ADMINISTRATOR FOR DEFENSE PROGRAMS.

Section 3214 of the National Nuclear Security Administration Act (title XXXII of Public Law 106-65; 113 Stat. 959; 50 U.S.C. 2404) is amended by striking subsection (c).

SEC. 3144. REPEAL OF DUPLICATE PROVISIONS OF NAVAL OR DEFENSE OFFICERS AND OFFICERS DURING FUTU- RITY BY PERSONNEL OF NATIONAL NUCLEAR SECURITY ADMINISTRATION.

Section 3245 of the National Nuclear Security Administration Act (50 U.S.C. 2443), as added by section 315 of the Energy and Water Development Appropriations Act, 2001 (as enacted into law by Public Law 106-377; 114 Stat. 1441B-2), is repealed.

SEC. 3144. REPORT ON ADEQUACY OF FEDERAL PAY AND PAYING AUTHORITIES TO MEET PERSONNEL REQUIREMENTS OF THE NATIONAL NUCLEAR SECURITY ADMINISTRATION.

(a) REPORT REQUIRED.—Not later than March 1, 2002, the Administrator for Nuclear Security and the Chief Petitioner of the Administration shall submit to the congressional committees specified in subsection (b) a report on the adequacy of Federal pay and hiring authorities to meet the personnel requirements of the National Nuclear Security Administration. The report shall include the following:

(1) A description of the Federal pay and hiring authorities in the Administration; and

(2) A description of the Federal pay and hiring authorities that are not available to the Administrator, and an explanation why such authorities are not available.

(b) SPECIFIED COMMITTEES.—The congressional committees referred to in subsection (a) are the following:

(1) The Committee on Armed Services of the Senate.

(2) The Committee on Armed Services and the Committee on Governmental Affairs of the House of Representatives.

SEC. 3151. IMPROVEMENTS TO ENERGY EMPLOYEES OCCUPATIONAL ILLNESS COMPENSATION PROGRAM.

(a) AMENDMENTS TO ENERGY EMPLOYEES PROGRAM.—The Energy Employees Occupational Illness Compensation Program Act of 2000 (title XXXVI of the Flood D. Spence National Defense Authorization Act for Fiscal Year 2001 (as enacted into law by Public Law 106-398; 114 Stat. 1654A-394; 42 U.S.C. 7384 et seq.) is amended as follows:

(1) CERTAIN LEUKEMIA AS SPECIFIED CANCER.—Section 3621(17) (114 Stat. 1654A-502; 42 U.S.C. 7384l(17)), as amended by section 403 of the Supplemental Appropriations Act, 2001 (Public Law 107-20; 114 Stat. 477, 1654A-310) is amended by adding at the end the following new sub-paragraph:

‘‘(D) Leukemia (other than chronic lymphocytic leukemia), if initial occupation exposure occurred before 21 years of age and onset occurred more than two years after initial occupational exposure. ’’;

(2) ADDITIONAL MEMBERS OF SPECIAL EXPENSE CORPSE.—Section 3626(b) (114 Stat. 1654A-505; 42 U.S.C. 7384g(b)) is amended by inserting ‘‘Department of Energy facility’’ after ‘‘Department’’.

(3) ESTABLISHMENT OF CHRONIC SILICOSIS.—Section 3627(e)(2)(A) (114 Stat. 1654A-596; 42 U.S.C. 7384(d)(2)(A)) is amended by striking ‘‘category 11’’ and inserting ‘‘category 10’’.

(b) PAY LEVEL.—Section 3315 of title 5, United States Code, is amended—

(1) by striking subsection (a) and inserting the following:

‘‘(a) PAY LEVEL.—(1) by redesigning subsection (a) as subsection (b) and redesignating subsection (b) as subsection (c);

(2) by inserting after the item relating to section 3213—

‘‘(2) A description of the Federal pay and hiring authorities; and

(3) A description of the Federal pay and hiring authorities that are not available to the Administration.’’;

(c) CLERICAL AMENDMENTS.—The table of contents preceding section 3201 of such Act is amended—

(1) by striking the item relating to section 3213 and inserting the following:

‘‘Sec. 3131. Principal Deputy Administrator for National Security.’’; and

(2) by inserting after the item relating to section 3212 the following new items:

‘‘Sec. 3120. Status of Administration and contractor personnel within Department of Energy.’’;

‘‘Sec. 3121. Scope of authority of Secretary of Energy to modify organization of Administration.’’;

‘‘Sec. 3122. Status of Administration and contractor personnel within Department of Energy.’’;

SEC. 3142. ELIMINATION OF REQUIREMENT THAT NUCLEAR SECURITY LABORATORIES AND NUCLEAR WEAPONS PRODUCTION FACILITIES REPORT TO DEPUTY ADMINISTRATOR FOR DEFENSE PROGRAMS.

Section 3214 of the National Nuclear Security Administration Act (title XXXII of Public Law 106-65; 113 Stat. 959; 50 U.S.C. 2404) is amended by striking subsection (c).

SEC. 3143. REPEAL OF DUPLICATE PROVISIONS OF NAVAL OR DEFENSE OFFICERS AND OFFICERS DURING FUTURE BY PERSONNEL OF NATIONAL NUCLEAR SECURITY ADMINISTRATION.

Section 3245 of the National Nuclear Security Administration Act (50 U.S.C. 2443), as added by
made in equal shares to all children of the covered employee who are living at the time of payment.

(C) If there is no surviving spouse described in subsection (A), and if there are no children described in subsection (B), such payment shall be in equal shares to the parents of the covered employee who are living at the time of payment.

(D) If there is no surviving spouse described in subsection (A), and if there are no children described in subsection (B), parents described in subsection (C), or grandchildren described in subsection (D), then such payment shall be in equal shares to the grandparents of the covered employee who are living at the time of payment.

(E) Notwithstanding the other provisions of this paragraph, if there is—

(i) a surviving spouse described in subsection (A); and

(ii) at least one child of the covered employee who is living and a minor at the time of payment and who is not a recognized natural child or adopted child of such surviving spouse, then the amount of such payment shall be made to such surviving spouse, and the other half of such payment shall be made in equal shares to each child of the covered employee who is living and a minor at the time of payment.

(F) If a covered employee eligible for payment dies before filing a claim under this title, a survivor of that employee who may receive payment under paragraph (1) may file a claim for such payment.

(3) For purposes of this subsection—

(A) the spine of an individual is a wife or husband of the covered employee who was married to that individual for at least one year immediately before the death of that individual;

(B) a child includes a recognized natural child, a stepchild who lived with an individual in a regular parent-child relationship, and an adopted child;

(C) a parent includes fathers and mothers through adoption;

(D) a grandchild of an individual is a child of a child of that individual; and

(E) a ‘grandparent’ of an individual is a parent of such a grandchild.

(4) Paragraph (18) of section 3621 (114 Stat. 1651A–502; 42 U.S.C. 7384l) is repealed.

(D) The amendments made by this paragraph shall take effect on July 1, 2001.

(e) EFFECT OF TORT CASES FILED BEFORE ENACTMENT OF 2001 AMENDMENTS.—(1) If an otherwise eligible individual files a tort case specified in subsection (d) after the date of the enactment of the National Defense Authorization Act for Fiscal Year 2002, such individual shall not be eligible for such compensation or benefits.

(2) If such individual dismisses such tort case on or before the last permissible date specified in paragraph (3), such individual shall be eligible for such compensation or benefits.

(3) The last permissible date referred to in paragraph (2) is the later of the following dates:

(A) April 30, 2003.

(B) The date that is 30 months after the date the individual first becomes aware that an illness covered by subtitle B of a covered employee may be connected to the exposure of the covered employee in the performance of duty under section 3623.

(C) EFFECT OF TORT CASES FILED BEFORE ENACTMENT OF 2001 AMENDMENTS.—(1) If an otherwise eligible individual files a tort case specified in subsection (d) after the date of the enactment of the National Defense Authorization Act for Fiscal Year 2002, such individual shall not be eligible for such compensation or benefits.

(2) If such individual dismisses such tort case on or before the last permissible date specified in paragraph (3), such individual shall be eligible for such compensation or benefits.

(3) The last permissible date referred to in paragraph (2) is the later of the following dates:

(A) April 30, 2003.

(B) The date that is 30 months after the date the individual first becomes aware that an illness covered by subtitle B of a covered employee may be connected to the exposure of the covered employee in the performance of duty under section 3623.

(D) COVERED TORT CASES.—A tort case specified in this subsection is a tort case alleging a covered beryllium illness or covered atomic weapons employment.

(E) ATTORNEY FEES.—For purposes of subsection (d),—

(1) the Committee on Armed Services, Committee on the Judiciary, and Committee on Health, Education, Labor, and Pensions of the Senate; and

(2) the Committee on Armed Services, Committee on Appropriations, Committee on the Judiciary, and Committee on Education and the Workforce of the House of Representatives.

(F) Amounts for the purposes of section 3645(a)(1) shall be derived from amounts authorized to be appropriated by section 3641(a) of the Energy Employees Occupational Illness Compensation Program Act of 2000 (114 Stat. 1654A–498).

(4) In this subsection:

(A) The terms ‘‘atomic weapons employer facility’’, ‘‘beryllium vendor’’, ‘‘covered employee with cancer’’, and ‘‘covered beryllium illness’’ have the meanings given those terms in section 3621 of the Energy Employees Occupational Illness Compensation Program Act of 2000 (114 Stat. 1654A–498).

(B) The term ‘‘contamination’’ means the presence of any—

(1) material that emitted radiation and was used in the production of an atomic weapon, excluding uranium mining and milling; or

(2) beryllium dust, particles, or vapor, exposure to which could cause or substantially contribute to the cancer of a covered employee with cancer or a covered beryllium illness, as the case may be.

SEC. 3152. DEPARTMENT OF ENERGY COUNTERINTELLIGENCE POLYGRAPH PROGRAM.

(a) NEW COUNTERINTELLIGENCE POLYGRAPH PROGRAM REQUIRED.—The Secretary of Energy, in carrying out, under regulations prescribed under this section, a new counterintelligence polygraph program for the Department of Energy, the purpose of the new program is to minimize the potential for release or disclosure of classified data, materials, or information.

(b) AUTHORITIES AND LIMITATIONS.—(1) The Secretary shall prescribe regulations for the new counterintelligence polygraph program required by subsection (a) in accordance with the provisions of subsection 11 of chapter 5 of title 5, United States Code (commonly referred to as the Administrative Procedures Act).

(2) In prescribing regulations for the new program, the Secretary shall take into account the results of the Polygraph Review.

(3) Not later than six months after obtaining the results of the Polygraph Review, the Secretary shall issue a notice of proposed rulemaking for the new program.

(c) REPEAL OF EXISTING POLYGRAPH PROGRAM.—Effective 30 days after the Secretary submits to the congressional defense committees the Secretary’s certification that the final rule for the new counterintelligence polygraph program pursuant to subsection (a) has been fully implemented, section 3154 of the Department of Energy, Military Facilities Security, and Counterintelligence Enhancement Act of 1999 (subtitle D of title XXXI of Public Law 106–65; 42 U.S.C. 7383b) is repealed.

(d) REPORT ON FURTHER ENHANCEMENT OF PERSONNEL SECURITY PROGRAM.—(4) Not later than January 1, 2003, the Administrator for Nuclear Sonics Security shall submit to Congress a report setting forth the recommendations of the Administrator for any legislative action that the Administrator considers appropriate in order to enhance the personnel security program of the Department of Energy.

(2) Any recommendations under paragraph (1) regarding the use of polygraphs shall take into account the results of the Polygraph Review.
review of the Committee to Review the Scientific Evidence on the Polygraph of the National Academy of Sciences.

SEC. 3153. ONE-YEAR EXTENSION OF AUTHORITY OF DEPARTMENT OF ENERGY TO PAY VOLUNTARY SEPARATION INCEN-
TIVE PAYMENTS.

(a) In General.—Section 3161(a) of the Na-
tional Defense Authorization Act for Fiscal Year 2000 (Public Law 106-65; 113 Stat. 942; 5 U.S.C. 5597 note) is amended by striking “Janu-
ary 1, 2003” and inserting “January 1, 2004”.

(b) PLAN.—The amendment made by subsection (a) may be superseded by any provision of law that takes effect after the date of the enactment of this Act, and before Janu-
ary 1, 2004, as a uniform method for providing voluntary separation incentives (in-
cluding a system for requiring approval of plans by the Office of Management and Budget) for employees of the Federal Government.

SEC. 3154. ANNUAL ASSESSMENT AND REPORT ON VULNERABILITY OF DEPARTMENT FACILITIES TO TER-
RORIST ATTACK.

(a) In General.—Part C of title VI of the De-
partment of Energy Organization Act (42 U.S.C. 7221 et seq.) is amended by adding at the end the following new section:

“ANNUAL ASSESSMENT AND REPORT ON VULNER-
ABILITY OF FACILITIES TO TERRORIST ATTACK

Sec. 663. (a) The Secretary shall, on an an-
nual basis, submit to Congress an assessment and report on the vulnerability of Department facilities to terrorist attack.

(b) Not later than January 31 each year, the Secretary shall submit to Congress a report on the assessment conducted under subsection (a) during the preceding year. Each report shall in-
clude the results of the assessment covered by such report, together with such findings and recommendations as the Secretary considers appro-
priate.

(c) APPLICABLE LAW.—The table of sec-
tions at the beginning of that Act is amended by inserting after the item relating to section 662 the following new item:

“Sec. 663. Annual assessment and report on vulnerability of facilities to ter-
rorist attack.”

SEC. 3155. DISPOSITION OF SURPLUS DEFENSE PLUTONIUM AT SAVANNAH RIVER SITE, AIKEN, SOUTH CAROLINA.

(a) CONSULTATION REQUIRED.—The Secretary of Energy shall consult with the Governor of the State of South Carolina regarding any decisions or plans for the retaliation of the Department of Energy Organization Act (42 U.S.C. 7221 et seq.) is amended by adding at the end the following new section:

“DISPOSITION OF SURPLUS DEFENSE PLUTONIUM AT SAVANNAH RIVER SITE, AIKEN, SOUTH CAROLINA

Sec. 666. (a) For each shipment of defense plutonium or defense plutonium mate-
terials to the Savannah River Site, the Secretary shall, not less than 30 days before the commen-
cement of such shipment, submit to the Congress a report providing notice of such shipment.

(b) PLAN FOR DISPOSITION.—The Secretary shall submit a plan for disposal of the surplus defense plutonium and defense plutonium mate-
terials currently located at the Savannah River Site and for disposal of defense plutonium and defense plutonium materials to be shipped to the Savannah River Site in the future. The plan shall include the following:

(1) A review of each option considered for such disposition;
(2) An identification of the preferred option for such disposal;
(3) With respect to the facilities for such dis-
posal, a report by the Department of Energy’s Record of Decision for the Storage and Disposition of Weapons-Usable Fissile Materials Final Programmatic Environmental Impact Statement for Savannah site.

(a) a statement of the cost of construction and
(b) a schedule for the expeditious construc-
tion of such facilities, including milestones; and
(c) a firm schedule for funding the cost of such facilities.

(4) A specification of the means by which all such defense plutonium and defense plutonium materials will be removed in a timely manner from the Savannah River Site for storage or dis-
posal elsewhere.

(d) PLAN FOR ALTERNATIVE DISPOSITION.—If the Secretary determines not to proceed at the Savannah River Site with construction of the Department with the Savannah River Site with construction of the Savannah River Site during the period from January 1, 2002, and ending on the date on which such plans are submitted to Congress.

(2) RULE OF CONSTRUCTION.—Nothing in this section shall be construed to preclude or limit the Secretary from shipping defense plutonium or defense plutonium materials to sites other than the Savannah River Site during the period re-
furred to in sub-paragraph (a) or any other period.

(h) ANNUAL REPORT ON FUNDING FOR FISSILE MATERIALS DISPOSITION ACTIVITIES.—The Sec-

SEC. 3156. MODIFICATION OF DATE OF REPORT OF PANEL TO ASSESS THE RELI-
ABILITY AND SECURITY OF THE UNITED STATES NUCLEAR STOCKPILE.

Section 359(d) of the Strom Thurmond Na-
tional Defense Authorization Act for Fiscal Year 1999 (Public Law 106-251; 42 U.S.C. 2121 note) is amended by striking “of each year, begin-
ing with 1999,” and inserting “of 1999 and 2000, and not later than February 1, 2002.”

Subtitle F—Rocky Flats National Wildlife

Refuge

SEC. 3171. SHORT TITLE.

This subtitle may be cited as the “Rocky Flats National Wildlife Refuge Act of 2001”.

SEC. 3172. FINDINGS AND PURPOSES.

(a) FINDINGS.—Congress finds the follow-
ing:

(1) The Federal Government, through the Atomic Energy Commission, acquired the Rocky Flats site as a result of operations there in 1952. The site remains a Department of Energy facility since 1992, the mission of the Rocky Flats site has changed from the production of nuclear weapons to cleanup and closure in a manner that is safe, environment-
ally and socially responsible, physically se-
cure, and cost-effective.

(2) The Rocky Flats site has been under the control of the Department of Energy for 50 years.

(b) PURPOSES.—The purpose of this subtitle and the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9601 et seq.).

(1) To provide for the establishment of the Rocky Flats site as a national wildlife refuge

(2) To create a process for public input on the management of the refuge referred to in para-

(3) To ensure that the Rocky Flats site is thor-

(4) RESPONSE ACTION.—The term “response ac-
tion” means any of the following:

(A) The RFCA;
(B) CERCLA;
(C) RCRA.

(5) The Colorado Hazardous Waste Act, 25-

(6) RESPONSE ACTION.—The term “response action” means any of the following:

(A) Any hazardous substance, as such term is defined in paragraph (14) of section 101 of CERCLA (42 U.S.C. 9601 et seq.).

(B) Any pollutant or contaminant, as such term is defined in paragraph (33) of such section 101.

(C) Any petroleum, including crude oil or any fraction thereof which is not otherwise specifi-
cally listed or designated as a hazardous sub-
stance under subparagraphs (A) through (F) of paragraph (14) of such section 101.

(D) Any hazardous substance, as such term is defined in paragraph (14) of section 101 of CERCLA (42 U.S.C. 9601 et seq.).


(F) The term “refuge” means the Rocky Flats National Wildlife Refuge established under section 3177.

(G) RESPONSE ACTION.—The term “response action” means any of the following:

(A) A response, as such term is defined in paragraph (23) of section 101 of CERCLA (42 U.S.C. 9601 et seq.).


(C) Any action required for institutional controls imposed by any of the laws referred to in sub-
paragraph (A) or (B).

(E) RCRA.—The term “RFCA” means the Rocky Flats Cleanup Agreement, an intergov-

(F) The term “RFCA” means the Rocky Flats Cleanup Agreement, an intergov-

(G) RESPONSE ACTION.—The term “response action” means any of the following:

(H) A response, as such term is defined in paragraph (23) of section 101 of CERCLA (42 U.S.C. 9601 et seq.).


(J) Any action required for institutional controls imposed by any of the laws referred to in sub-
paragraph (A) or (B).

(K) any action required for institutional controls imposed by any of the laws referred to in sub-
paragraph (A) or (B).
(A) the Department of Energy; (B) the Environmental Protection Agency; and (C) the Department of Public Health and Environment of the State of Colorado.

(ROCKY FLATS.— (A) IN GENERAL.—Except as provided in subparagraph (B), the term “Rocky Flats” means the Rocky Flats Environmental Technology Site, Colorado, a defense nuclear facility, as depicted on the map titled “Rocky Flats Environmental Technology Site,” dated October 22, 2001, and available for inspection in the appropriate offices of the United States Fish and Wildlife Service.

(1) CONCLUSIONS.—The term “Rocky Flats” does not include—

(i) the land and facilities of the Department of Energy’s National Renewable Energy Laboratory, including the acres retained by the Secretary under section 3174(f); and

(ii) any land and facilities not within the boundaries depicted on the map referred to in subparagraph (A).

(2) SECRETARY.—The term “Secretary” means the Secretary of Energy.

SEC. 3174. FUTURE OWNERSHIP AND MANAGEMENT.

(a) FEDERAL OWNERSHIP.—Except as expressly provided in this subtitle, all right, title, and interest of the United States, held on or acquired after the enactment of this Act, to any land or interest therein, including minerals, within the boundaries of Rocky Flats shall be retained by the United States.

(b) PROHIBITION ON ANNEXATION.—Neither the Secretary nor the Secretary of the Interior shall allow the annexation of land within the refuge by any unit of local government.

(c) PROHIBITION ON THROUGH ROADS.—Except as provided in subsection (e), no public road shall be constructed through Rocky Flats.

(d) EASEMENT OR SALE.—Land may be made available under this paragraph by easement or sale to one or more appropriate entities.

(e) COMPLIANCE WITH APPLICABLE LAW.—Any action under this paragraph shall be taken in compliance with applicable law.

(f) WIND TECHNOLOGY EXPANSION AREA.—The Secretary shall retain, for the use of the National Renewable Energy Laboratory, the approximately 25 acres identified on the map referred to in section 3174(a) as the “Wind Technology Expansion Area”.

SEC. 3175. TRANSFER OF MANAGEMENT RESPONSIBILITIES AND JURISDICTION OVER ROCKY FLATS.

(a) TRANSFER REQUIRED.—

(1) IN GENERAL.—Subject to the other provisions of this section, the Secretary shall transfer administrative jurisdiction over the property that is to comprise the refuge to the Secretary of the Interior.

(2) DATE OF TRANSFER.—The transfer shall be carried out not earlier than the completion certification date, and not later than 30 business days after that date.

(b) COMPLETION CERTIFICATION DATE.—For purposes of paragraph (2), the completion certification date is the date on which the Administrator of the Environmental Protection Agency certifies to the Secretary and to the Secretary of the Interior that cleanup and closure at Rocky Flats has been completed, except for the operation and maintenance associated with response actions, and that all response actions are operating properly and successfully.

(c) PROHIBITION ON ANNEXATION.—Neither the Secretary nor the Secretary of the Interior shall allow the annexation of land within the refuge by any unit of local government.

(d) PROHIBITION ON THROUGH ROADS.—Except as provided in subsection (e), no public road shall be constructed through Rocky Flats.

(e) TRANSPORTATION RIGHT-OF-WAY.—

(1) IN GENERAL.—

(A) AVAILABILITY OF LAND.—On submission of an application meeting each of the conditions specified in subsection (C), the Secretary, after consultation with the Secretary of the Interior, shall make available land along the eastern boundary of Rocky Flats for the sole purpose of transportation improvements along Indiana Street.

(B) BOUNDARIES.—Land made available under this paragraph may not extend more than 300 feet from the west edge of the Indiana Street right-of-way, as that right-of-way exists as of the date of the enactment of this Act.

(C) EASEMENT OR SALE.—Land may be made available under this paragraph by easement or sale to one or more appropriate entities.

(D) COMPLIANCE WITH APPLICABLE LAW.—Any action under this paragraph shall be taken in compliance with applicable law.

(2) CONDITIONS.—An application referred to in paragraph (1) meets the conditions specified in this paragraph if—

(A) is submitted by any county, city, or other political subdivision of the State of Colorado; and

(B) includes documentation demonstrating that the transportation improvements for which the land is to be made available—

(i) are carried out so as to minimize adverse effects on the management of Rocky Flats as a wildlife refuge; and

(ii) are included in the regional transportation plan of the metropolitan planning organization designated under section 1303 of title 49, United States Code.

(f) WIND TECHNOLOGY EXPANSION AREA.—The Secretary shall retain, for the use of the National Renewable Energy Laboratory, the approximately 25 acres identified on the map referred to in section 3174(a) as the “Wind Technology Expansion Area”.

SEC. 3175A. ADMINISTRATION OF RETAINED PROPERTY: CONTINUATION OF CLEANUP AND CLOSURE.

(a) ADMINISTRATION OF RETAINED PROPERTY.

(1) IN GENERAL.—In administering the property retained under section 3175(d), the Secretary shall consult with the Secretary of the Interior to minimize any conflict between—

(A) any administration by the Secretary of such property for a purpose relating to a response action; and

(B) the administration by the Secretary of the Interior of land the administrative jurisdiction of which is transferred under section 3175(a).

(2) PRIORITY IN CASE OF CONFLICT.—In the case of any such conflict, the Secretary and the Secretary of the Interior shall agree on the administration for a purpose relating to a response action, as described in paragraph (1)(A), shall take priority.

(2) ACCESS.—The Secretary of the Interior shall provide to the Secretary such access and cooperation with respect to the refuge as the Secretary requires to carry out operation and maintenance, future response actions, natural resources restoration, or any other obligations.

(b) ONGOING CLEANUP AND CLOSURE.—

(1) IN GENERAL.—The Secretary shall carry out to completion cleanup and closure at Rocky Flats.

(2) CLEANUP LEVELS.—The Secretary shall carry out such cleanup and closure to the levels established for soil, water, and other media, following a thorough review by the parties to the RFCA and the public (including the United States Fish and Wildlife Service and other interested government agencies) of the appropriate- ness of the interim levels in the RFCA.

(3) NO RESTRICTION ON USE OF NEW TECHNOLOGY.—Nothing in this section or subsection (a) shall restrict the Secretary from using at Rocky Flats any new technology that may become available for remediation of contamination.

(c) OPPORTUNITY TO COMMENT.—The Secretary of the Interior shall have the opportunity to comment with respect to any proposed response action as to the impacts, if any, of such proposed response action on the refuge.

(d) RULES OF CONSTRUCTION.—

(1) NO RELIEF FROM OBLIGATIONS UNDER OTHER LAW.—Nothing in this subtitle, and no action taken under this subtitle—

(A) relieves the Secretary, the Administrator of the Environmental Protection Agency, the Secretary of the Interior, or any other person from any obligation or other liability with respect to Rocky Flats under the RFCA or any Federal or State law;

(B) impairs or alters any provision of the RFCA; or

(C) alters any authority of the Administrator of the Environmental Protection Agency under section 120(e) of CERCLA (42 U.S.C. 9620(e)), or any authority of the State of Colorado.

(2) CLEANUP LEVELS.—Nothing in this subtitle shall reduce the level of cleanup and closure at Rocky Flats required under the RFCA or any Federal or State law.
(3) Payment of response action costs.—Nothing in this subtitle affects the obligation of a Federal department or agency that had or has operations at Rocky Flats resulting in the release of, or threatened release of, a covered substance to pay the costs of response actions carried out to abate the release of, or clean up, the covered substance.

SEC. 3171. ROCKY FLATS NATIONAL WILDLIFE REFUGE.

(a) In general.—On completion of the transfer required by section 3175(a), and subject to section 3175(c), the Secretary of the Interior shall commence administration of the real property comprising the refuge in accordance with this subtitle.

(b) Establishment of refuge.—Not later than 30 days after the transfer required by section 3175(a), the Secretary of the Interior shall establish at Rocky Flats a national wildlife refuge referred to in subsection (a) as the Rocky Flats National Wildlife Refuge.

(c) Composition.—The refuge shall be comprised of the property the administrative jurisdiction of which was transferred as required by section 3175(a).

(d) Notice.—The Secretary of the Interior shall publish in the Federal Register a notice of the establishment of the refuge.

(e) Administration and purposes.—

(1) In general.—The Secretary of the Interior shall carry out the administration of the refuge in accordance with applicable law, including this subtitle, the National Wildlife Refuge System Administration Act of 1966 (16 U.S.C. 666d et seq.), and the purposes of this Act.

(2) Refuge purposes.—The refuge shall be managed for the purposes of—

(A) restoring and preserving native ecosystems;

(B) providing habitat for, and population management of, native plants and migratory and resident wildlife;

(C) conserving threatened and endangered species (including species that are candidates for listing under the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.)); and

(D) providing opportunities for compatible scientific research.

(f) Designation.—In managing the refuge, the Secretary of the Interior shall—

(A) ensure that wildlife-dependent recreation and environmental education and interpretation are the primary uses of the refuge; and

(B) comply with all response actions.

SEC. 3175. COMPREHENSIVE PLANNING PROCESS.

(a) In general.—Not later than 180 days after the date of the enactment of this Act, the Secretary shall commence a comprehensive planning process that involves the public and local communities. The Secretary of the Interior shall submit to Congress, in coordination with the city of Arvada, the city of Westminster, the town of Superior, and Jefferson County, Colorado, not later than 180 days after the date of the enactment of this Act, a comprehensive conservation plan referred to in subsection (a); and

(b) Report.—Not later than three years after the date of the enactment of this Act, the Secretary shall submit to Congress—

(1) the comprehensive conservation plan referred to in subsection (a); and

(2) a report that contains—

(A) an outline of the accomplishment of the public and local communities in the comprehensive planning process, as required by subsection (a);

(B) to the extent that any input or recommendation from the comprehensive planning process is not accepted, a clear statement of the reasons why such input or recommendation is not accepted; and

(C) a discussion of the impacts of any property rights referred to in section 3179(a) on management of the refuge, and an identification of strategies for resolving and mitigating these impacts.

SEC. 3179. PROPERTY RIGHTS.

(a) In general.—Except as provided in subsections (c) and (d), nothing in this subtitle limits or affects any property right of the United States or any other person with respect to a covered refuge.

(b) Reasonable conditions.—Nothing in this subtitle affects any Federal, State, or local law or regulation relating to the use, development, and management of property rights referred to in subsection (a).

(c) Dissolution of Coalition.—If the Coalition dissolves, or if any Coalition member elects to leave the Coalition during the comprehensive planning process required by subsection (a)—

(1) such comprehensive planning process shall continue; and

(2) an opportunity shall be provided to each entity that is a member of the Coalition as of September 1, 2000, for direct involvement in such comprehensive planning process.

(d) Compliance with requirements of subsection (e) of the National Wildlife Refuge System Administration Act of 1966 (16 U.S.C. 668d(e)), the comprehensive conservation plan referred to in subsection (a) shall address and make recommendations on the following:

(1) The identification of any land referred to in subsection (a) as are appropriate for such survey;

(2) The characteristics and configuration of any perimeter fencing that may be appropriate or compatible for refuge, cumulative, and closure purposes, refuge purposes, or other purposes;

(3) The feasibility of locating, and the potential location for, a visitor and education center at the refuge;

(4) Any other issues relating to Rocky Flats.

(e) Coalition Defined.—In this section, the term ‘Coalition’ means the Rocky Flats Coalition of Local Governments established by the Intergovernmental Agreement, dated February 16, 1999, among—

(1) the city of Arvada, Colorado;

(2) the city of Westminster, Colorado;

(3) the city of Broomfield, Colorado;

(4) the city of Westminster, Colorado;

(5) the town of Superior, Colorado;

(6) Boulder County, Colorado; and

(7) Jefferson County, Colorado.

(f) Report.—Not later than three years after the date of the enactment of this Act, the Secretary shall submit to Congress—

(1) the comprehensive conservation plan referred to in subsection (a); and

(2) a report that contains—

(A) an outline of the accomplishment of the public and local communities in the comprehensive planning process, as required by subsection (a);

(B) to the extent that any input or recommendation from the comprehensive planning process is not accepted, a clear statement of the reasons why such input or recommendation is not accepted; and

(C) a discussion of the impacts of any property rights referred to in section 3179(a) on management of the refuge, and an identification of strategies for resolving and mitigating these impacts.

SEC. 3180. LIABILITIES AND OTHER OBLIGATIONS.

(a) In general.—Nothing in this subtitle shall relieve, and no action may be taken under this subtitle to relieve, the Secretary, the Secretary of the Interior, or any other person from any liability or other obligation at Rocky Flats under CERCLA, RCRA, or any other Federal or State law.

(b) Cost recovery, contribution, and other actions.—Nothing in this subtitle is intended to prevent the United States from bringing a cost recovery, contribution, or other action that would otherwise be available under Federal or State law.

SEC. 3181. ROCKY FLATS MUSEUM.

(a) Museum.—To commemorate the contributions that Rocky Flats and its worker force provided in supporting the Cold War and the impact that such contribution has had on the nearby communities and the State of Colorado, the Secretary may establish a Rocky Flats Museum.

(b) Location.—The Rocky Flats Museum shall be located in the city of Arvada, Colorado, unless, after consultation under subsection (c), the Secretary determines otherwise.

(c) Consultation.—The Secretary shall consult with the city of Arvada, other local communities, and the Colorado State Historical Society over—

(1) the development of the museum;

(2) the siting of the museum; and

(3) any other issues relating to the development and construction of the museum.

(d) Report.—Not later than three years after the date of the enactment of this Act, the Secretary shall submit to Congress a report on the costs associated with the construction of the museum and any other issues relating to the development and construction of the museum.

SEC. 3182. ANNUAL REPORT ON FUNDING.

For each of fiscal years 2003 through 2007, at the time of submission of the budget of the President for fiscal year 2003, the United States Code, for such fiscal year, the Secretary and the Secretary of the Interior shall jointly submit to Congress a report on the costs of implementation of this subtitle. The report shall include—

(1) the costs incurred by each Secretary in implementing this subtitle during the preceding fiscal year; and

(2) the funds required by each Secretary to implement this subtitle during the current and subsequent fiscal years.

TITe LXXXII—DEFENSE NUCLEAR FACILITIES SAFETY BOARD

Sec. 3301. Authorization.

Sec. 3301A. AUTHORIZATION.

TITe LXXXIII—NATIONAL DEFENSE STOCKPILE

Sec. 3391. Definitions.

Sec. 3392. Authorized uses of stockpile funds.

Sec. 3393. Authority to dispose of certain materials.

Sec. 3394. Revisions of limitations on required disposals of certain materials.
SEC. 3301. DEFINITIONS.

In this title:

(1) The term ‘National Defense Stockpile’ means the stockpile provided for in section 4 of the Strategic and Critical Materials Stock Piling Act (50 U.S.C. 98b); (2) The term ‘National Defense Stockpile Transaction Fund’ means the fund established under section 9(a) of the Strategic and Critical Materials Stock Piling Act (50 U.S.C. 98b(a)); (3) The term ‘Market Impact Committee’ means the Market Impact Committee appointed under section 10(c) of the Strategic and Critical Materials Stock Piling Act (50 U.S.C. 98b(c)).

SEC. 3302. AUTHORIZED USES OF STOCKPILE FUNDS.

(a) Obligation of Stockpile Funds.—During fiscal year 2002, the National Defense Stockpile Manager may obligate up to $65,200,000 of the funds in the National Defense Stockpile Transaction Fund for the authorized uses of such funds under section 9(b)(2) of the Strategic and Critical Materials Stock Piling Act (50 U.S.C. 98b(b)(2)), including the disposal of hazardous materials that are environmentally sensitive.

(b) Additional Obligations.—The National Defense Stockpile Manager may obligate amounts in excess of the amount specified in subsection (a) if the National Defense Stockpile Manager notifies Congress that extraordinary or emergency conditions necessitate the additional obligations. The National Defense Stockpile Manager may make the additional obligations described in the notification after the end of the 45-day period beginning on the date on which Congress receives the notification.

(c) Limitations.—The authorities provided by this section shall be subject to such limitations as may be provided in appropriations Acts.

SEC. 3303. AUTHORITY TO DISPOSE OF CERTAIN MATERIALS IN NATIONAL DEFENSE STOCKPILE.

(a) Disposal Authorized.—Subject to the conditions specified in subsection (b), the President may dispose of obsolete and excess materials contained in the National Defense Stockpile. The materials subject to disposal under this subsection may include the quantity of each material authorized to be disposed of by the President are set forth in the following table:

<table>
<thead>
<tr>
<th>Material for disposal</th>
<th>Quantity</th>
</tr>
</thead>
<tbody>
<tr>
<td>Bauxite ..................</td>
<td>40,000 short tons</td>
</tr>
<tr>
<td>Chromium ................</td>
<td>3,512 short tons</td>
</tr>
<tr>
<td>Iridium ..................</td>
<td>25,140 troy ounces</td>
</tr>
<tr>
<td>Jesel Bearings ..........</td>
<td>30,273,232 pieces</td>
</tr>
<tr>
<td>Manganese Ferro HC .....</td>
<td>209,674 short tons</td>
</tr>
<tr>
<td>Palladium .................</td>
<td>11 troy ounces</td>
</tr>
<tr>
<td>Quartz Crystal ..........</td>
<td>216,648 pounds</td>
</tr>
<tr>
<td>Tantalum Metal Ingot ......</td>
<td>120,228 pounds</td>
</tr>
<tr>
<td>Tantalum Metal Powder....</td>
<td>36,020 pounds</td>
</tr>
<tr>
<td>Thorium Nitrate ..........</td>
<td>600,000 pounds</td>
</tr>
</tbody>
</table>

(b) Minimization of Disruption and Loss.—The President may not dispose of materials under subsection (a) to the extent that the disposal will result in:

(1) undue disruption of the usual markets of producers, processors, and consumers of the materials proposed for disposal; or
(2) avoidable loss to the United States.

(c) Relationship to Other Disposal Authority.—No disposal authority provided in subsection (a) is new disposal authority and is in addition to, and shall not affect, any other disposal authority provided by law regarding the materials specified in such subsection.

SEC. 3304. REVISION OF LIMITATIONS ON REQUIRED DISPOSALS OF CERTAIN MATERIALS IN NATIONAL DEFENSE STOCKPILE.


(1) in subsection (a)—

(A) by striking ‘the amount of’; and inserting ‘total amounts not less than’;—

(B) by striking ‘and’ at the end of paragraph (3); and

(C) by striking paragraph (4) and inserting the following new paragraphs:

‘(4) $760,000,000 by the end of fiscal year 2005; and

(5) $770,000,000 by the end of fiscal year 2011.’; and

(2) in subsection (b), by striking ‘receipts in the amounts specified in subsection (a)’ and inserting ‘receipts in the total amount specified in subsection (a)’;

(b) Public Law 105–45.—Section 3305 of the National Defense Authorization Act for Fiscal Year 1998 (Public Law 105–85; 50 U.S.C. 98d note) is amended—

(1) in subsection (a), by striking ‘amounts equal to’; and inserting ‘total amounts not less than’; and

(2) by striking paragraph (b) and inserting the following new paragraph:

‘(2) The President may not dispose of cobalt under this section in fiscal year 2006 in excess of the disposals necessary to result in receipts during that fiscal year in the total amount specified in subsection (a)(3).’;

(c) Public Law 104–201.—Section 3303 of the National Defense Authorization Act for Fiscal Year 1997 (Public Law 104–201; 50 U.S.C. 98d note) is amended—

(1) in subsection (a), by striking ‘amounts equal to’; and inserting ‘total amounts not less than’; and

(2) by striking paragraph (2) and inserting the following new paragraph:

‘(2) The President may not dispose of manganese in the National Defense Stockpile in the total amount specified in subsection (a)(3) during fiscal year 2006.’;

SEC. 3305. ACCCELERATION OF REQUIRED DISPOSAL OF COBALT IN NATIONAL DEFENSE STOCKPILE.

Section 3305(a)(2) of this Act, is amended by adding at the end of such section—

‘(2) To be in effect during fiscal year 2006.’;

SEC. 3306. RESTRICTION ON DISPOSAL OF MANGANESE FERRO.

(a) Temporary Quantity Restrictions.—During fiscal years 2002 through 2005, the disposal of manganese ferro in the National Defense Stockpile may not exceed the following quantities:

‘(1) During fiscal year 2002, 25,000 short tons of all grades of manganese ferro.

(2) During fiscal year 2003, 25,000 short tons of high carbon manganese ferro of the highest grade.

(3) During each of the fiscal years 2004 and 2005, 50,000 short tons of high carbon manganese ferro of the highest grade.’

(b) Conforming Amendment.—Section 3304 of the National Defense Authorization Act for Fiscal Year 1996 (Public Law 104–106; 110 Stat. 629) is repealed.

TITLE XXXIV—NAVAL PETROLEUM RESERVES


(a) In General.—The President hereby authorized to be appropriated to the Secretary of Energy $17,371,000 for fiscal year 2002 for the purpose of carrying out activities under chapter 641 of title 10, United States Code, relating to the naval petroleum reserves.

(b) Period of Availability.—Funds appropriated pursuant to the authorization of appropriations in subsection (a) shall remain available until expended.

TITLE XXXV—MARITIME ADMINISTRATION


Funds are hereby authorized to be appropriated for fiscal year 2002, to be available without fiscal year limitation if so provided in appropriations Acts, for the use of the Department of Transportation for the Maritime Administration as follows:

(1) For expenses necessary for operations and training activities, $89,054,000.

(2) For expenses under the loan guarantee program authorized by title XI of the Merchant Marine Act, 1936 (46 App. U.S.C. 1271 et seq.), $103,978,000, of which—

(A) $100,000,000 is for the cost (as defined in section 502(h) of the Federal Credit Reform Act of 1990 (2 U.S.C. 661a et seq.)), $103,978,000, of which—

(B) $3,978,000 is for administrative expenses related to loan guarantee commitments under the program.

(3) For expenses to dispose of obsolete vessels in the National Defense Reserve Fleet, $10,000,000.

SEC. 3502. Define “War Risks” to Vessels to Include CONFISCATION, EXPROPRIATION, NATIONALIZATION, and DEPRIVATION of the VESSELS.

Section 1201(c) of the Merchant Marine Act, 1936 (46 App. U.S.C. 1281(c)) is amended to read as follows:

‘(c) The term “war risks” includes to such extent as the Secretary may determine—

‘(1) all or any part of any loss that is excluded from marine insurance coverage under a “fire, capture or seizure” clause, or under analogous clauses; and

‘(2) other losses from hostile acts, including confiscation, expropriation, nationalization, or deprivation.”

SEC. 3503. Holding Obligor’s Cash as Collateral under Title XI of Merchant Marine Act, 1936.

Title XI of the Merchant Marine Act, 1936 (46 App. U.S.C. 1271 et seq.) is amended by inserting after section 1108 the following:

‘SEC. 1109. DEPOSIT FUND.

“(a) Establishment of Deposit Fund.—There is established in the Treasury a deposit fund for purposes of this section. The Secretary may, in accordance with an agreement under subsection (b), deposit into and hold in the deposit fund cash belonging to an obligor to serve...’
as collateral for a guarantee under this title made with respect to the obligor.

“(b) AGREEMENT.—

“(1) IN GENERAL.―The Secretary and an obligor shall enter into a reserve fund or other collateral agreement to govern the deposit, withdrawal, retention, use, and reinvestment of cash of the obligor held in the deposit fund established by subsection (a).

“(2) TERMS.—The agreement shall contain such terms and conditions as are required under this section and such additional terms as are considered by the Secretary to be necessary to protect fully the interests of the United States.

“(3) SECURITY INTEREST OF UNITED STATES.—The agreement shall include terms that grant to the United States a security interest in all amounts deposited into the deposit fund.

“(c) INVESTMENT.—The Secretary may invest and reinvest any part of the amounts in the deposit fund established by subsection (a) in obligations of the United States with such maturities as ensure that amounts in the deposit fund will be available as required for purposes of agreements under subsection (b). Cash balances of the deposit fund in excess of current requirements shall be maintained in a form of uninsured funds and the Secretary of the Treasury shall pay interest on these funds.

“(d) WITHDRAWALS.—“(1) IN GENERAL.—The cash deposited into the deposit fund established by subsection (a) may not be withdrawn without the consent of the Secretary.

“(2) USE OF INCOME.—Subject to paragraph (3), the Secretary may pay any income earned on cash of an obligor deposited into the deposit fund in accordance with the terms of the agreement with the obligor under subsection (b).

“(3) RETENTION AGAINST DEFAULT.—The Secretary may retain and offset any or all of the cash of an obligor in the deposit fund, and any income realized thereon, as part of the Secretary’s recovery against the obligor in case of a default by the obligor on an obligation.”.

Joint Explanatory Statement of Conference Agreement

From the Committee on Armed Services, for consideration of the Senate Bill and the House amendment, and modifications committed to conference:

BOB STUMP, Chairman.

From the Committee on Armed Services, for consideration of sec. 564, 622, 803 and 2822 of the Senate Bill, and secs. 333 and 803 of the House amendment, and modifications committed to conference:

DAN BURTON.

From the Committee on Armed Services, for consideration of sec. 611-615 of the House amendment, and modifications committed to conference:

TERRY EVERETT.

From the Committee on Armed Services, for consideration of secs. 574-577, and 579 of the Senate bill, and sec. 552 of the House amendment, and modifications committed to conference:

JOHN L. MICA.

From the Committee on Armed Services, for consideration of secs. 1101, 1202, and 1205, and title XIII, and sec. 3133 of the House amendment, and modifications committed to conference:

BEN GILMAN.

From the Committee on Armed Services, for consideration of secs. 1011, 1068, and 3151 of the Senate bill, and secs. 323 and 818 of the House amendment, and modifications committed to conference:

P. JAMES SENSENBERGER, Jr., Chairman.

From the Committee on Armed Services, for consideration of sec. 1061 of the Senate Bill, and sec. 3181 of the Senate bill, and modifications committed to conference:

GEORGE RANDANOVICH.

From the Committee on Armed Services, for consideration of secs. 601, 663, 2663, and 3171-3181 of the Senate bill, and secs. 601, 1042, 2841, 2845, 2861-2863, and 2865 and title XXIX of the House amendment, and modifications committed to conference:

JIM GIBBONS.

From the Committee on Armed Services, for consideration of secs. 1071 and 1124 of the Senate bill, and modifications committed to conference:

SHERWOOD BOARDHURST.

From the Committee on Armed Services, for consideration of secs. 1071 and 1124 of the Senate bill, and modifications committed to conference:

NICK SMITH.

From the Committee on Armed Services, for consideration of secs. 1071 and 1124 of the Senate bill, and modifications committed to conference:

VERNON J. EHLERS.

From the Committee on Armed Services, for consideration of secs. 822-824 and 1066 of the Senate bill, and modifications committed to conference:

DONALD A. MANZULLO.

From the Committee on Armed Services, for consideration of the National Defense Authorization Act for Fiscal Year 2002 for the Department of Defense, for military construction, and for defense activities of the Department of Energy, that have a budget authority implication of $343.3 billion for the national defense function.

SUMMARY TABLE OF AUTHORIZATIONS

The conference recommends authorization of appropriations for fiscal year 2002 for the Department of Defense for procurement; research and development; test and evaluation; operation and maintenance; military family housing; and for equipment and environmental restoration programs of the Department of Energy, that have a budget authority implication of $343.3 billion for the national defense function.

SUMMARY STATEMENT OF CONFERENCE ACTION

The conference recommends the authorization of appropriations for fiscal year 2002 for the Department of Defense for procurement; research and development; test and evaluation; operation and maintenance; military family housing; and for equipment and environmental restoration programs of the Department of Energy, that have a budget authority implication of $343.3 billion for the national defense function.

SUMMARY STATEMENT OF CONFERENCE ACTION

The managers on the part of the Senate agree to the same.
national defense function are authorized permanently or, in certain instances, authorized in other annual legislation.

The following table summarizes authorizations included in the bill for fiscal year 2002 and, in addition, summarizes the implications of the conference action for the budget authority totals for national defense (budget function 050).
### SUMMARY OF NATIONAL DEFENSE AUTHORIZATIONS FOR FISCAL YEAR 2002

#### (In Thousands of Dollars)

<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>FY 2002</strong></td>
<td>Request</td>
<td>Request</td>
<td>Request</td>
<td>Request</td>
</tr>
</tbody>
</table>

#### DIVISION A

##### Title I - PROCUREMENT

<table>
<thead>
<tr>
<th>Aircraft Procurement, Army</th>
<th>1,923,491</th>
<th>1,947,491</th>
<th>2,123,391</th>
<th>194,891</th>
<th>2,073,372</th>
</tr>
</thead>
<tbody>
<tr>
<td>Aircraft Procurement, Navy</td>
<td>573,343</td>
<td>573,343</td>
<td>573,343</td>
<td>0</td>
<td>573,343</td>
</tr>
<tr>
<td>Weapon Procurement, Army</td>
<td>1,123,175</td>
<td>1,123,175</td>
<td>1,123,175</td>
<td>0</td>
<td>1,123,175</td>
</tr>
<tr>
<td>Total Procurement, Army</td>
<td>3,668,594</td>
<td>3,668,594</td>
<td>3,668,594</td>
<td>0</td>
<td>3,668,594</td>
</tr>
</tbody>
</table>

#### Title II - RESEARCH, DEVELOPMENT, TEST & EVALUATION

<table>
<thead>
<tr>
<th>Aircraft Procurement, Army</th>
<th>6,963,909</th>
<th>6,979,025</th>
<th>6,901,670</th>
<th>(131,259)</th>
<th>6,769,325</th>
</tr>
</thead>
<tbody>
<tr>
<td>Aircraft Procurement, Navy</td>
<td>11,737,389</td>
<td>11,740,218</td>
<td>11,734,006</td>
<td>(7,520)</td>
<td>11,726,486</td>
</tr>
<tr>
<td>Weapon Procurement, Army</td>
<td>11,737,389</td>
<td>11,740,218</td>
<td>11,734,006</td>
<td>(7,520)</td>
<td>11,726,486</td>
</tr>
<tr>
<td>Weapon Procurement, Navy</td>
<td>13,030,767</td>
<td>13,030,767</td>
<td>13,030,767</td>
<td>0</td>
<td>13,030,767</td>
</tr>
<tr>
<td>Total Procurement, Army</td>
<td>28,609,725</td>
<td>28,624,006</td>
<td>28,624,006</td>
<td>0</td>
<td>28,624,006</td>
</tr>
<tr>
<td>Total Procurement, Navy</td>
<td>26,467,692</td>
<td>26,467,692</td>
<td>26,467,692</td>
<td>0</td>
<td>26,467,692</td>
</tr>
</tbody>
</table>

| Total Defense Research and Development | 55,077,417 | 55,077,417 | 55,077,417 | 0 | 55,077,417 |

| Total Defense Health Program | 64,000,000 | 64,000,000 | 64,000,000 | 0 | 64,000,000 |

| TOTAL TOTAL | 119,084,434 | 119,084,434 | 119,084,434 | 0 | 119,084,434 |

#### Budget Authority Implications

<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>FY 2002</strong></td>
<td>Request</td>
<td>Request</td>
<td>Request</td>
<td>Request</td>
</tr>
<tr>
<td>-----------</td>
<td>---------------------------</td>
<td>----------------------</td>
<td>--------------------</td>
<td>--------------------</td>
</tr>
<tr>
<td>Operation and Maintenance, Marine Corps</td>
<td>2,892,314</td>
<td>2,898,511</td>
<td>2,941,119</td>
<td>(1,449)</td>
</tr>
<tr>
<td>Operation and Maintenance, Air Force</td>
<td>26,140,780</td>
<td>25,931,452</td>
<td>25,958,762</td>
<td>(27,300)</td>
</tr>
<tr>
<td>Operation and Maintenance, Defensewide</td>
<td>12,516,618</td>
<td>11,609,081</td>
<td>11,676,372</td>
<td>(567,305)</td>
</tr>
<tr>
<td>Operation and Maintenance, Army Reserve</td>
<td>1,787,210</td>
<td>1,814,746</td>
<td>1,831,106</td>
<td>(57,300)</td>
</tr>
<tr>
<td>Operation and Maintenance, Navy Reserve</td>
<td>1,035,699</td>
<td>1,035,699</td>
<td>1,035,699</td>
<td>(5,900)</td>
</tr>
<tr>
<td>Operation and Maintenance, Marine Corps Reserve</td>
<td>144,023</td>
<td>144,023</td>
<td>122,956</td>
<td>(12,067)</td>
</tr>
<tr>
<td>Operation and Maintenance, Air Force Reserve</td>
<td>3,019,800</td>
<td>2,917,800</td>
<td>2,739,666</td>
<td>(9,000)</td>
</tr>
<tr>
<td>Operation and Maintenance, National Guard</td>
<td>3,671,359</td>
<td>3,055,359</td>
<td>3,097,409</td>
<td>6,000</td>
</tr>
<tr>
<td>Office of the Inspector General</td>
<td>150,131</td>
<td>152,031</td>
<td>151,221</td>
<td>(6,000)</td>
</tr>
<tr>
<td>US Court of Appeals, Armed Forces</td>
<td>9,056</td>
<td>9,056</td>
<td>9,056</td>
<td>0</td>
</tr>
<tr>
<td>Environmental Restoration, Army</td>
<td>389,800</td>
<td>389,800</td>
<td>389,800</td>
<td>0</td>
</tr>
<tr>
<td>Environmental Restoration, Navy</td>
<td>385,413</td>
<td>385,413</td>
<td>385,413</td>
<td>0</td>
</tr>
<tr>
<td>Environmental Restoration, Formerly Used Defense Sites</td>
<td>190,225</td>
<td>190,225</td>
<td>230,325</td>
<td>60,000</td>
</tr>
<tr>
<td>General Reduction, Title III</td>
<td>(40,000)</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Overseas Humanitarian, Disaster &amp; Civic Aid</td>
<td>49,700</td>
<td>49,700</td>
<td>49,700</td>
<td>0</td>
</tr>
<tr>
<td>Drug Interdiction &amp; Counterdrug Activities, Defense</td>
<td>830,384</td>
<td>830,384</td>
<td>830,384</td>
<td>0</td>
</tr>
<tr>
<td>Payment to Kalaeloa Island Fund</td>
<td>15,000</td>
<td>15,000</td>
<td>15,000</td>
<td>0</td>
</tr>
<tr>
<td>Defense Health Programs</td>
<td>17,565,720</td>
<td>17,530,750</td>
<td>17,570,740</td>
<td>15,000</td>
</tr>
<tr>
<td>Cooperative Heath Reduction</td>
<td>2,844,726</td>
<td>2,844,726</td>
<td>2,844,726</td>
<td>0</td>
</tr>
<tr>
<td>Overseas Contingency Operations Transfer Fund</td>
<td>13,650</td>
<td>13,650</td>
<td>13,650</td>
<td>0</td>
</tr>
<tr>
<td>Support for International Sporting Competitions</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Utilities Allowance</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Restoration of Rocky Mountain Arsenal</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Kalaeloa Island Environmental Restoration</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Disposal of Toxic Real Property</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Support for Facilities, Defense</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>National Security Center, Army</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Defensewide Military Facilities Investment Recovery</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Defensewide Overseas Infrastructure Account (NATO)</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>TOTAL OPERATION AND MAINTENANCE</td>
<td>125,349,997</td>
<td>125,379,869</td>
<td>125,346,278</td>
<td>(2,090,670)</td>
</tr>
</tbody>
</table>
## Summary of National Defense Authorizations for Fiscal Year 2002

(All figures are in thousands of dollars)

### Revolving and Management Funds

<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Defense Working Capital Fund, Army</td>
<td>130,000</td>
<td>130,000</td>
<td>130,000</td>
<td>130,000</td>
<td>0</td>
<td>130,000</td>
</tr>
<tr>
<td>Defense Working Capital Fund, Air Force</td>
<td>50,786</td>
<td>50,786</td>
<td>50,786</td>
<td>50,786</td>
<td>0</td>
<td>50,786</td>
</tr>
<tr>
<td>Defense Working Capital Fund, Defense Agencies</td>
<td>641,900</td>
<td>641,900</td>
<td>591,600</td>
<td>(591,600)</td>
<td>146,310</td>
<td>146,310</td>
</tr>
<tr>
<td>National Defense Health Fund</td>
<td>506,418</td>
<td>407,704</td>
<td>407,704</td>
<td>407,704</td>
<td>0</td>
<td>407,704</td>
</tr>
<tr>
<td>Defense Working Capital Fund, DODCA</td>
<td>1,103,300</td>
<td>1,103,300</td>
<td>1,103,300</td>
<td>1,103,300</td>
<td>0</td>
<td>1,103,300</td>
</tr>
<tr>
<td><strong>Total Revolving and Management Funds</strong></td>
<td><strong>2,458,394</strong></td>
<td><strong>2,359,674</strong></td>
<td><strong>2,408,994</strong></td>
<td><strong>2,408,994</strong></td>
<td><strong>0</strong></td>
<td><strong>2,408,994</strong></td>
</tr>
</tbody>
</table>

### Title III

<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

### Title IV—V: Military Personnel

<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

### Title X: General Provisions

<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Proposed Legislation</td>
<td>(330,000)</td>
<td>0</td>
<td>0</td>
<td>330,000</td>
<td>0</td>
<td>(330,000)</td>
</tr>
<tr>
<td>Management Functions</td>
<td>0</td>
<td>(1,630,000)</td>
<td>0</td>
<td>1,630,000</td>
<td>0</td>
<td>(1,630,000)</td>
</tr>
<tr>
<td>Combating Terrorism</td>
<td>400,000</td>
<td>0</td>
<td>0</td>
<td>400,000</td>
<td>0</td>
<td>400,000</td>
</tr>
<tr>
<td>Multi-Year Defense &amp; Combating Terrorism</td>
<td>0</td>
<td>1,300,000</td>
<td>1,300,000</td>
<td>1,300,000</td>
<td>0</td>
<td>1,300,000</td>
</tr>
<tr>
<td><strong>Total General Provisions</strong></td>
<td>(530,000)</td>
<td>0</td>
<td>(1,930,000)</td>
<td>1,930,000</td>
<td>0</td>
<td>(1,930,000)</td>
</tr>
</tbody>
</table>

### Total Division A

<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>246,786,497</td>
<td>318,483,858</td>
<td>319,819,796</td>
<td>81,149,351</td>
<td>317,935,048</td>
<td>319,805,104</td>
</tr>
</tbody>
</table>

### Budget Authority Implications

<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>130,000</td>
<td>130,000</td>
<td>130,000</td>
<td>130,000</td>
<td>0</td>
<td>130,000</td>
</tr>
<tr>
<td></td>
<td>50,786</td>
<td>50,786</td>
<td>50,786</td>
<td>50,786</td>
<td>0</td>
<td>50,786</td>
</tr>
<tr>
<td></td>
<td>641,900</td>
<td>641,900</td>
<td>591,600</td>
<td>(591,600)</td>
<td>146,310</td>
<td>146,310</td>
</tr>
<tr>
<td></td>
<td>506,418</td>
<td>407,704</td>
<td>407,704</td>
<td>407,704</td>
<td>0</td>
<td>407,704</td>
</tr>
<tr>
<td></td>
<td>1,103,300</td>
<td>1,103,300</td>
<td>1,103,300</td>
<td>1,103,300</td>
<td>0</td>
<td>1,103,300</td>
</tr>
<tr>
<td><strong>Total Revolving and Management Funds</strong></td>
<td><strong>2,458,394</strong></td>
<td><strong>2,359,674</strong></td>
<td><strong>2,408,994</strong></td>
<td><strong>2,408,994</strong></td>
<td><strong>0</strong></td>
<td><strong>2,408,994</strong></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>130,000</td>
<td>130,000</td>
<td>130,000</td>
<td>130,000</td>
<td>0</td>
<td>130,000</td>
</tr>
<tr>
<td></td>
<td>50,786</td>
<td>50,786</td>
<td>50,786</td>
<td>50,786</td>
<td>0</td>
<td>50,786</td>
</tr>
<tr>
<td></td>
<td>641,900</td>
<td>641,900</td>
<td>591,600</td>
<td>(591,600)</td>
<td>146,310</td>
<td>146,310</td>
</tr>
<tr>
<td></td>
<td>506,418</td>
<td>407,704</td>
<td>407,704</td>
<td>407,704</td>
<td>0</td>
<td>407,704</td>
</tr>
<tr>
<td></td>
<td>1,103,300</td>
<td>1,103,300</td>
<td>1,103,300</td>
<td>1,103,300</td>
<td>0</td>
<td>1,103,300</td>
</tr>
<tr>
<td><strong>Total Revolving and Management Funds</strong></td>
<td><strong>2,458,394</strong></td>
<td><strong>2,359,674</strong></td>
<td><strong>2,408,994</strong></td>
<td><strong>2,408,994</strong></td>
<td><strong>0</strong></td>
<td><strong>2,408,994</strong></td>
</tr>
<tr>
<td>Authorization</td>
<td>House</td>
<td>Senate</td>
<td>Conference</td>
<td>FY 2003</td>
<td></td>
<td></td>
</tr>
<tr>
<td>--------------</td>
<td>-------</td>
<td>--------</td>
<td>------------</td>
<td>---------</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Request</td>
<td>Request</td>
<td>Request</td>
<td>Request</td>
<td>Request</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Military Construction, Army</td>
<td>1,360,641</td>
<td>1,385,600</td>
<td>1,375,610</td>
<td>1,360,641</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Military Construction, Navy</td>
<td>1,378,610</td>
<td>1,400,640</td>
<td>1,390,610</td>
<td>1,378,610</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Military Construction, Air Force</td>
<td>1,382,610</td>
<td>1,400,640</td>
<td>1,390,610</td>
<td>1,382,610</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Military Construction, Defense-Wide</td>
<td>760,640</td>
<td>780,600</td>
<td>770,610</td>
<td>760,640</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Military Construction, Army National Guard</td>
<td>540,640</td>
<td>540,600</td>
<td>540,600</td>
<td>540,640</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Military Construction, Air National Guard</td>
<td>540,640</td>
<td>540,600</td>
<td>540,600</td>
<td>540,640</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Military Construction, Army Reserve</td>
<td>540,640</td>
<td>540,600</td>
<td>540,600</td>
<td>540,640</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Military Construction, Air Force Reserve</td>
<td>540,640</td>
<td>540,600</td>
<td>540,600</td>
<td>540,640</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Base Realignment &amp; Closure IV</td>
<td>540,600</td>
<td>540,600</td>
<td>540,600</td>
<td>540,600</td>
<td></td>
<td></td>
</tr>
<tr>
<td>DHS Security Investments in Programs</td>
<td>540,640</td>
<td>540,600</td>
<td>540,600</td>
<td>540,640</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Total FY 2003</td>
<td>6,093,640</td>
<td>6,115,600</td>
<td>6,105,610</td>
<td>6,093,640</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

| Total Military Construction | 5,907,645 | 6,359,350 | 6,369,340 | 5,907,645 |

<table>
<thead>
<tr>
<th>Family Housing</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Family Housing Construction, Army</td>
<td>291,740</td>
</tr>
<tr>
<td>Family Housing Operations &amp; Debt, Army</td>
<td>1,046,740</td>
</tr>
<tr>
<td>Family Housing Construction, Navy &amp; Marine Corps</td>
<td>315,740</td>
</tr>
<tr>
<td>Family Housing Operations &amp; Debt, Navy &amp; Marine Corps</td>
<td>315,740</td>
</tr>
<tr>
<td>Family Housing Construction, Air Force</td>
<td>315,740</td>
</tr>
<tr>
<td>Family Housing Operations &amp; Debt, Air Force</td>
<td>315,740</td>
</tr>
<tr>
<td>Family Housing Construction, Defense-Wide</td>
<td>291,740</td>
</tr>
<tr>
<td>Family Housing Operations &amp; Debt, Defense-Wide</td>
<td>291,740</td>
</tr>
<tr>
<td>Housewives Assistance Fund, Defense</td>
<td>291,740</td>
</tr>
<tr>
<td>US Army Family Housing Improvement Fund</td>
<td>291,740</td>
</tr>
<tr>
<td>Total Total Family Housing</td>
<td>2,917,312</td>
</tr>
</tbody>
</table>

| Total Division II | 9,971,312 | 10,324,312 | 10,314,312 | 9,971,312 |
### SUMMARY OF NATIONAL DEFENSE AUTHORIZATIONS FOR FISCAL YEAR 2002

**In Thousands of Dollars**

<table>
<thead>
<tr>
<th>Authorization</th>
<th>Appropriation</th>
<th>Senate Authorization</th>
<th>Conference Change</th>
<th>Conference Appropriation</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
<td>Conference Changes</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Conference Changes</td>
<td></td>
</tr>
</tbody>
</table>

**DIVISION C - DEPARTMENT OF DEFENSE**

- National Defense Stockpile Transaction Fund
  - Authorization: $13,000
  - House Appropriation: $13,000
  - Senate Authorization: $13,000
  - Conference Change: $0
  - Conference Appropriation: $13,000

**SUMMARY OF NATIONAL DEFENSE AUTHORIZATIONS FOR FISCAL YEAR 2002**

<table>
<thead>
<tr>
<th>Authorization</th>
<th>Appropriation</th>
<th>Senate Authorization</th>
<th>Conference Change</th>
<th>Conference Appropriation</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
<td>Conference Changes</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Conference Changes</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Conference Changes</td>
<td></td>
</tr>
</tbody>
</table>

**DIVISION C - ATOMIC ENERGY DEFENSE ACTIVITIES**

- National Nuclear Security Administration
  - Weapon Activities
    - Authorization: $5,303,073
    - House Appropriation: $5,369,486
    - Senate Authorization: $5,357,810
    - Conference Change: $0
    - Conference Appropriation: $5,341,567
  - DEFCON Nuclear Nonproliferation
    - Authorization: $273,314
    - House Appropriation: $273,314
    - Senate Authorization: $273,314
    - Conference Change: $0
    - Conference Appropriation: $273,314
  - NNSA Nuclear Nonproliferation
    - Authorization: $662,064
    - House Appropriation: $662,064
    - Senate Authorization: $662,064
    - Conference Change: $0
    - Conference Appropriation: $662,064
  - Office of the Administrator
    - Authorization: $5,000
    - House Appropriation: $5,000
    - Senate Authorization: $5,000
    - Conference Change: $0
    - Conference Appropriation: $5,000
  - Total National Nuclear Security Administration
    - Authorization: $6,776,470
    - House Appropriation: $6,809,895
    - Senate Authorization: $7,351,221
    - Conference Change: $0
    - Conference Appropriation: $7,717,894

- Defense Environmental Restoration & Waste Management
  - Authorization: $4,518,500
  - House Appropriation: $4,610,257
  - Senate Authorization: $4,974,918
  - Conference Change: $0
  - Conference Appropriation: $4,994,872

- Defense Facilities Closure Projects
  - Authorization: $1,060,538
  - House Appropriation: $1,090,318
  - Senate Authorization: $1,080,318
  - Conference Change: $0
  - Conference Appropriation: $1,080,318

- Defense Environmental Management Prioritization Projects
  - Authorization: $1,131,017
  - House Appropriation: $1,133,513
  - Senate Authorization: $1,133,513
  - Conference Change: $0
  - Conference Appropriation: $1,133,513

- Other Defense Activities
  - Authorization: $273,614
  - House Appropriation: $273,614
  - Senate Authorization: $273,614
  - Conference Change: $0
  - Conference Appropriation: $273,614

- Defense Nuclear Waste Disposal
  - Authorization: $110,000
  - House Appropriation: $110,000
  - Senate Authorization: $110,000
  - Conference Change: $0
  - Conference Appropriation: $110,000

- Total DOE/DOE-SC Discretionary Authorization
  - Authorization: $13,555,167
  - House Appropriation: $13,505,167
  - Senate Authorization: $14,264,697
  - Conference Change: $0
  - Conference Appropriation: $14,076,709

- Energy Employees Compensation Act Expenses
  - Authorization: $0
  - House Appropriation: $0
  - Senate Authorization: $0
  - Conference Change: $0
  - Conference Appropriation: $0

- Energy Employees Insurance Compensation
  - Authorization: $0
  - House Appropriation: $0
  - Senate Authorization: $0
  - Conference Change: $0
  - Conference Appropriation: $0

- Radiation Exposure Compensation
  - Authorization: $0
  - House Appropriation: $0
  - Senate Authorization: $0
  - Conference Change: $0
  - Conference Appropriation: $0

- Radiation Exposure - Proposed Legislation
  - Authorization: $0
  - House Appropriation: $0
  - Senate Authorization: $0
  - Conference Change: $0
  - Conference Appropriation: $0

- Total Department of Energy (DOE)
  - Authorization: $13,455,167
  - House Appropriation: $13,505,167
  - Senate Authorization: $14,264,697
  - Conference Change: $0
  - Conference Appropriation: $14,076,709

- Defense Nuclear Facilities Safety Board
  - Authorization: $18,500
  - House Appropriation: $18,500
  - Senate Authorization: $18,500
  - Conference Change: $0
  - Conference Appropriation: $18,500

- Energy Storage Safety Board
  - Authorization: $0
  - House Appropriation: $0
  - Senate Authorization: $0
  - Conference Change: $0
  - Conference Appropriation: $0

- Total Atomic Energy Defense Activities (DEA)
  - Authorization: $13,373,667
  - House Appropriation: $13,284,607
  - Senate Authorization: $12,975,212
  - Conference Change: $0
  - Conference Appropriation: $13,055,209

- TOTAL DIVISION C
  - Authorization: $13,373,667
  - House Appropriation: $13,284,607
  - Senate Authorization: $12,975,212
  - Conference Change: $0
  - Conference Appropriation: $13,055,209
### SUMMARY OF NATIONAL DEFENSE AUTHORIZATIONS FOR FISCAL YEAR 2002

(All amounts in Thousands of Dollars)

<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Radiological Protection (Sec. 1063)</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>FEMA Salaries, Expenses, Planning and Assistance</td>
<td>50,000</td>
<td>98,700</td>
<td>98,700</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Maritime Security Program (Part XXXV)</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Other Defense Related Activities (DRA)</td>
<td>50,000</td>
<td>98,700</td>
<td>98,700</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Total Defense Related Activities (DRA)</td>
<td>50,000</td>
<td>98,700</td>
<td>98,700</td>
<td>0</td>
<td>0</td>
</tr>
</tbody>
</table>

| Total National Defense Function (DRA) | 264,381,674          | 341,593,937         | 343,255,836         | 83,447,281        | 342,638,957               |

<table>
<thead>
<tr>
<th>Budget Authority Implication</th>
</tr>
</thead>
<tbody>
<tr>
<td>172,000</td>
</tr>
<tr>
<td>50,000</td>
</tr>
<tr>
<td>1,216,000</td>
</tr>
<tr>
<td>1,216,000</td>
</tr>
<tr>
<td>1,216,000</td>
</tr>
</tbody>
</table>
The term “congressional defense committees” is often used in this statement of managers. It means the Defense Authorization and Appropriations Committees of the Senate and the House of Representatives.

Committee Reports

The Senate bill contained a provision (sec. 4) regarding the applicability of the report of the Committee on Armed Services of the Senate to accompany S. 1416 to this bill. The House amendment contained no similar provision.

The Senate recedes. The conferees agree that the report of the Committee on Armed Services of the Senate to accompany S. 1416 (Senate Report 107–62) shall apply to this Act to the same extent, and in the same manner, as the report of the Committee on Armed Services of the House of Representatives to accompany H.R. 2586 (House Report 107–194).

Division A—Department of Defense Authorizations

Title I—Procurement

Procurement overview

The budget request for fiscal year 2002 included an authorization of $61,813.6 million for Procurement for the Department of Defense.

The Senate bill would authorize $62,532.7 million.

The House amendment would authorize $62,312.8 million.

The conferees recommended an authorization of $62,477.7 million. Unless noted explicitly in the statement of managers, all changes are made without prejudice.
## NATIONAL DEFENSE AUTHORIZATIONS FOR FISCAL YEAR 2002
(In Thousands of Dollars)

<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Aircraft Procurement, Army</td>
<td>1,925,491</td>
<td>1,987,491</td>
<td>2,123,391</td>
<td>149,881</td>
</tr>
<tr>
<td>Missile Procurement, Army</td>
<td>1,859,634</td>
<td>1,097,286</td>
<td>1,807,384</td>
<td>(772,680)</td>
</tr>
<tr>
<td>Procurement of W&amp;TCV, Army</td>
<td>2,276,746</td>
<td>2,367,046</td>
<td>2,376,746</td>
<td>71,399</td>
</tr>
<tr>
<td>Procurement of Ammunition, Army</td>
<td>1,193,365</td>
<td>1,208,565</td>
<td>1,187,565</td>
<td>(6,132)</td>
</tr>
<tr>
<td>Other Procurement, Army</td>
<td>3,961,737</td>
<td>4,143,986</td>
<td>4,024,486</td>
<td>82,343</td>
</tr>
<tr>
<td>Aircraft Procurement, Navy</td>
<td>8,252,543</td>
<td>8,337,243</td>
<td>8,169,043</td>
<td>70,604</td>
</tr>
<tr>
<td>Weapons Procurement, Navy</td>
<td>1,433,475</td>
<td>1,476,692</td>
<td>1,503,475</td>
<td>50,846</td>
</tr>
<tr>
<td>Shipbuilding &amp; Conversion, Navy</td>
<td>9,344,121</td>
<td>9,378,221</td>
<td>9,522,121</td>
<td>26,851</td>
</tr>
<tr>
<td>Other Procurement, Navy</td>
<td>4,097,576</td>
<td>4,157,313</td>
<td>4,293,476</td>
<td>184,895</td>
</tr>
<tr>
<td>Procurement, Marine Corps</td>
<td>981,724</td>
<td>1,025,624</td>
<td>981,724</td>
<td>32,913</td>
</tr>
<tr>
<td>Procurement of Ammunition, Navy &amp; Marine Corps</td>
<td>457,099</td>
<td>463,507</td>
<td>476,099</td>
<td>9,808</td>
</tr>
<tr>
<td>Aircraft Procurement, Air Force</td>
<td>10,744,458</td>
<td>10,705,687</td>
<td>10,892,957</td>
<td>44,769</td>
</tr>
<tr>
<td>Procurement of Ammunition, Air Force</td>
<td>865,344</td>
<td>871,344</td>
<td>885,344</td>
<td>16,500</td>
</tr>
<tr>
<td>Other Procurement, Air Force</td>
<td>8,159,521</td>
<td>8,250,821</td>
<td>8,081,721</td>
<td>36,500</td>
</tr>
<tr>
<td>Procurement, Defense Wide</td>
<td>1,603,927</td>
<td>2,267,346</td>
<td>1,596,725</td>
<td>67,555</td>
</tr>
<tr>
<td>National Guard &amp; Reserve Equipment</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Defense Inspector General</td>
<td>1,800</td>
<td>1,800</td>
<td>2,800</td>
<td>1,000</td>
</tr>
<tr>
<td>Defense Production Act Purchases</td>
<td>0</td>
<td>0</td>
<td>4,000</td>
<td>4,000</td>
</tr>
<tr>
<td>Chemical Agents &amp; Munitions Destruction, Army</td>
<td>1,153,557</td>
<td>0</td>
<td>0</td>
<td>(1,153,557)</td>
</tr>
<tr>
<td>Chemical Agents &amp; Munitions Destruction, Defense</td>
<td>1,078,557</td>
<td>1,153,557</td>
<td>1,153,557</td>
<td>0</td>
</tr>
<tr>
<td>Defense Health Program</td>
<td>267,915</td>
<td>267,915</td>
<td>267,915</td>
<td>0</td>
</tr>
<tr>
<td><strong>TOTAL PROCUREMENT</strong></td>
<td><strong>61,813,569</strong></td>
<td><strong>62,312,780</strong></td>
<td><strong>62,536,665</strong></td>
<td><strong>664,092</strong></td>
</tr>
</tbody>
</table>
Management reform initiatives

The conferees agree to reduce procurement accounts by $90.0 million to reflect savings from management reform initiatives, as discussed in Title VIII.

Aircraft Procurement, Army—Overview

The budget request for fiscal year 2002 included an authorization of $1,225.5 million for Aircraft Procurement, Army in the Department of Defense.

The Senate bill would authorize $2,123.4 million.

The House amendment would authorize $1,987.5 million.

The conferees recommended an authorization of $2,075.4 million. Unless noted explicitly in the statement of managers, all changes are made without prejudice.
## Title I - Procurement

(Dollars in Thousands)

<table>
<thead>
<tr>
<th>Line No</th>
<th>Program</th>
<th>FY 2002 Budget Request</th>
<th>House Authorized</th>
<th>Senate Authorized</th>
<th>Conference Agreement Change</th>
<th>Authorized</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td>Qty</td>
<td>Cost</td>
<td>Qty</td>
<td>Cost</td>
<td>Qty</td>
</tr>
<tr>
<td>1</td>
<td>Aircraft Procurement, Army Fixed Wing</td>
<td>12</td>
<td>174,515</td>
<td>12</td>
<td>174,515</td>
<td>22</td>
</tr>
<tr>
<td>2</td>
<td>HELICOPTER NEW TRAINING</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>3</td>
<td>UH-60 BLACK HAWK (MYP)</td>
<td>26,906</td>
<td>26,906</td>
<td>26,906</td>
<td>26,906</td>
<td></td>
</tr>
<tr>
<td>4</td>
<td>UH-60 BLACK HAWK (MYP) (AP-CY)</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>5</td>
<td>HELICOPTER MODS (TIARA)</td>
<td>8,827</td>
<td>8,827</td>
<td>8,827</td>
<td>8,827</td>
<td></td>
</tr>
<tr>
<td>6</td>
<td>AHIF MODS</td>
<td>12,322</td>
<td>12,322</td>
<td>12,322</td>
<td>12,322</td>
<td></td>
</tr>
<tr>
<td>7</td>
<td>AH-64 MODS</td>
<td>38,473</td>
<td>50,473</td>
<td>50,273</td>
<td>5,000</td>
<td>43,473</td>
</tr>
<tr>
<td>8</td>
<td>Vibration Management Enhancement Program, ARNG</td>
<td>[7,000]</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>9</td>
<td>Oil Debris Detection System (ODDS)</td>
<td>[5,000]</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>10</td>
<td>CH-47 CARGO HELICOPTER MODS (MYP)</td>
<td>277,460</td>
<td>281,460</td>
<td>277,460</td>
<td>4,000</td>
<td>281,460</td>
</tr>
<tr>
<td>11</td>
<td>Crashworthy Cockpit Seats</td>
<td>[4,000]</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>12</td>
<td>CH-47 CARGO HELICOPTER MODS (AP-CY)</td>
<td>17,722</td>
<td>17,722</td>
<td>17,722</td>
<td>17,722</td>
<td></td>
</tr>
</tbody>
</table>

*Note: Figures represent budget allocations and are subject to further review and authorization.*
<table>
<thead>
<tr>
<th>Line No</th>
<th>Program</th>
<th>FY 2002 Budget Request</th>
<th>House Authorized</th>
<th>Senate Authorized</th>
<th>Conference Agreement</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td>Qty</td>
<td>Cost</td>
<td>Qty</td>
<td>Cost</td>
</tr>
<tr>
<td>13</td>
<td>UTILITY/CARGO AIRPLANE MODS</td>
<td>16,095</td>
<td>16,095</td>
<td>16,095</td>
<td>16,095</td>
</tr>
<tr>
<td>14</td>
<td>OH-58 MODS</td>
<td>463</td>
<td>463</td>
<td>463</td>
<td>463</td>
</tr>
<tr>
<td>15</td>
<td>AIRCRAFT LONG RANGE MODS</td>
<td>753</td>
<td>753</td>
<td>753</td>
<td>753</td>
</tr>
<tr>
<td>16</td>
<td>LONGHAW</td>
<td>888,561</td>
<td>898,561</td>
<td>935,561</td>
<td>10,000</td>
</tr>
<tr>
<td></td>
<td>Recapitalization</td>
<td>[10,000]</td>
<td>[10,000]</td>
<td>[10,000]</td>
<td>[10,000]</td>
</tr>
<tr>
<td>17</td>
<td>LONGHAW (AP-CY)</td>
<td>29,526</td>
<td>29,526</td>
<td>29,526</td>
<td>29,526</td>
</tr>
<tr>
<td>18</td>
<td>UH-1 MODS</td>
<td>52,269</td>
<td>58,269</td>
<td>52,269</td>
<td>6,000</td>
</tr>
<tr>
<td>19</td>
<td>UH-60 MODS</td>
<td>42,600</td>
<td>42,600</td>
<td>42,600</td>
<td>42,600</td>
</tr>
<tr>
<td>20</td>
<td>KIOWA WARRIOR</td>
<td>78,421</td>
<td>78,421</td>
<td>78,421</td>
<td>78,421</td>
</tr>
<tr>
<td>21</td>
<td>PROPHET AIR (HIARA)</td>
<td>54,551</td>
<td>54,551</td>
<td>54,551</td>
<td>54,551</td>
</tr>
<tr>
<td>22</td>
<td>AIRBORNE AVIONICS</td>
<td>5,331</td>
<td>5,331</td>
<td>5,331</td>
<td>5,331</td>
</tr>
<tr>
<td>23</td>
<td>ASE MODS (SIRFC)</td>
<td>24,600</td>
<td>24,600</td>
<td>24,600</td>
<td>24,600</td>
</tr>
<tr>
<td>25</td>
<td>GATM</td>
<td>78,421</td>
<td>78,421</td>
<td>78,421</td>
<td>78,421</td>
</tr>
<tr>
<td>27</td>
<td>MODIFICATIONS &lt; $5.0M</td>
<td>5,331</td>
<td>5,331</td>
<td>5,331</td>
<td>5,331</td>
</tr>
</tbody>
</table>
## Title I - Procurement

(Dollars in Thousands)

<table>
<thead>
<tr>
<th>Line No</th>
<th>Program</th>
<th>FY 2002 Budget Request Qty</th>
<th>FY 2002 Budget Request Cost</th>
<th>House Authorized Qty</th>
<th>House Authorized Cost</th>
<th>Senate Authorized Qty</th>
<th>Senate Authorized Cost</th>
<th>Conference Agreement Change Qty</th>
<th>Conference Agreement Change Cost</th>
<th>Authorized Qty</th>
<th>Authorized Cost</th>
</tr>
</thead>
<tbody>
<tr>
<td>29</td>
<td>Support Equipment and Facilities</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Ground Support Avionics</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>30</td>
<td>AIRCRAFT SURVIVABILITY EQUIPMENT</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>AN/AVR-2A Laser Detecting Sets</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>31</td>
<td>ASE: INFRARED CM</td>
<td>12</td>
<td>36,653</td>
<td>12</td>
<td>36,653</td>
<td>12</td>
<td>36,653</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Other Support</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>32</td>
<td>AVIONICS SUPPORT EQUIPMENT</td>
<td>7,544</td>
<td>7,544</td>
<td>10,044</td>
<td>2,500</td>
<td>10,044</td>
<td>2,500</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>ANVIS 6 Goggles</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>33</td>
<td>COMMON GROUND EQUIPMENT</td>
<td>19,113</td>
<td>19,113</td>
<td>19,113</td>
<td>[2,500]</td>
<td>19,113</td>
<td>[2,500]</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>34</td>
<td>AIRCREW INTEGRATED SYSTEMS</td>
<td>10,253</td>
<td>10,253</td>
<td>10,253</td>
<td>[2,500]</td>
<td>10,253</td>
<td>[2,500]</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>35</td>
<td>AIR TRAFFIC CONTROL</td>
<td>68,887</td>
<td>78,887</td>
<td>68,887</td>
<td>3,000</td>
<td>71,887</td>
<td>3,000</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Cold Cathode Portable Landing Lights</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>36</td>
<td>INDUSTRIAL FACILITIES</td>
<td>707</td>
<td>707</td>
<td>707</td>
<td>707</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>37</td>
<td>LAUNCHER, 2.75 ROCKET</td>
<td>4,960</td>
<td>4,960</td>
<td>4,960</td>
<td>4,960</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>38</td>
<td>AIRBORNE COMMUNICATIONS</td>
<td>19,799</td>
<td>19,799</td>
<td>19,799</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>38a</td>
<td>CLOSED ACCOUNT ADJUSTMENT</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Management Reform Initiatives</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Total - Aircraft Procurement, Army</td>
<td>1,925,491</td>
<td>1,987,491</td>
<td>2,123,391</td>
<td>149,881</td>
<td>2,075,372</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

December 12, 2001

CONGRESSIONAL RECORD — HOUSE

H9455
Missile Procurement, Army—Overview

The budget request for fiscal year 2002 included an authorization of $1,859.6 million for Missile Procurement, Army in the Department of Defense.

The Senate bill would authorize $1,807.4 million.

The House amendment would authorize $1,097.3 million.

The conferees recommended an authorization of $1,087.0 million. Unless noted explicitly in the statement of managers, all changes are made without prejudice.
<table>
<thead>
<tr>
<th>Line No</th>
<th>Program</th>
<th>FY 2002 Budget Request</th>
<th>House Authorized</th>
<th>Senate Authorized</th>
<th>Conference Agreement</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td>Qty</td>
<td>Cost</td>
<td>Qty</td>
<td>Cost</td>
</tr>
<tr>
<td>1</td>
<td>PATRIOT PAC-3</td>
<td>72</td>
<td>676,574</td>
<td>72</td>
<td>676,574</td>
</tr>
<tr>
<td></td>
<td>Transfer to PDW, BMDO</td>
<td></td>
<td></td>
<td>72</td>
<td></td>
</tr>
<tr>
<td>2</td>
<td>STINGER SYSTEM SUMMARY</td>
<td>497</td>
<td>45,890</td>
<td>497</td>
<td>23,390</td>
</tr>
<tr>
<td></td>
<td>Transfer to Other Army R&amp;D Programs</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Reduce Excessive Growth from Last Year's Estimate</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>3</td>
<td>AVENGER SYSTEM SUMMARY</td>
<td>11,624</td>
<td>11,624</td>
<td></td>
<td></td>
</tr>
<tr>
<td>4</td>
<td>HELIFIRE SYS SUMMARY</td>
<td>2200</td>
<td>241,811</td>
<td>2200</td>
<td>241,811</td>
</tr>
<tr>
<td>5</td>
<td>JAVELIN (AAWS-M) SYSTEM SUMMARY</td>
<td>4139</td>
<td>414,632</td>
<td>4139</td>
<td>414,632</td>
</tr>
<tr>
<td>6</td>
<td>JAVELIN (AAWS-M) SYSTEM SUMMARY (AP-CY)</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>7</td>
<td>LINE OF SIGHT ANTI-TANK (LOSAT) SYSTEM</td>
<td>11,427</td>
<td>9,427</td>
<td>9,427</td>
<td>9,427</td>
</tr>
<tr>
<td></td>
<td>SUM (AP-CY)</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Transfer to Other Army R&amp;D Programs</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Advance Procurement Funds Budgeted Too Early</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>8</td>
<td>MIRS ROCKET</td>
<td>8,480</td>
<td>8,480</td>
<td>8,480</td>
<td>8,480</td>
</tr>
<tr>
<td>9</td>
<td>GUIDED MIRS ROCKET (GMLRS)</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
## Title I - Procurement

(Dollars in Thousands)

<table>
<thead>
<tr>
<th>Line No</th>
<th>Program</th>
<th>FY 2002 Budget Request</th>
<th>House Authorized</th>
<th>Senate Authorized</th>
<th>Conference Agreement</th>
<th>Authorized</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td>Qty</td>
<td>Cost</td>
<td>Qty</td>
<td>Cost</td>
<td>Qty</td>
</tr>
<tr>
<td>10</td>
<td>MIRS LAUNCHER SYSTEMS</td>
<td>35</td>
<td>148,294</td>
<td>35</td>
<td>138,044</td>
<td>53</td>
</tr>
<tr>
<td></td>
<td>Transfer to Other Army R&amp;D Programs</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Buy Additional Launcher Upgrade for 1 Battalion</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Reduce Excessive Growth in Engineering Services</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>11</td>
<td>ARMY TACTICAL MISSILE SYSTEM (ATACMS) - SYS ATACMS Block IV</td>
<td>24</td>
<td>34,263</td>
<td>24</td>
<td>40,263</td>
<td>24</td>
</tr>
<tr>
<td></td>
<td>Transfer to PE 64768A (RDA 106)</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>12</td>
<td>ATACMS III KII SYSTEM SUMMARY</td>
<td>6</td>
<td>61,000</td>
<td>6</td>
<td>61,000</td>
<td>6</td>
</tr>
<tr>
<td></td>
<td>Modification of Missiles</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>13</td>
<td>PATRIOT MODS</td>
<td>37,617</td>
<td></td>
<td>25,107</td>
<td></td>
<td>37,617</td>
</tr>
<tr>
<td></td>
<td>Transfer to Other Army R&amp;D Programs</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>14</td>
<td>STINGER MODS</td>
<td>5,830</td>
<td></td>
<td>5,830</td>
<td></td>
<td>5,830</td>
</tr>
<tr>
<td>15</td>
<td>AVENGER MODS</td>
<td>17,991</td>
<td></td>
<td>11,877</td>
<td></td>
<td>11,891</td>
</tr>
<tr>
<td></td>
<td>Transfer to Other Army R&amp;D Programs</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Reduce Excessive Growth from Last Year's Appropriated Level</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>16</td>
<td>ITAS/LOW MODS</td>
<td>96,204</td>
<td></td>
<td>60,804</td>
<td></td>
<td>60,804</td>
</tr>
<tr>
<td></td>
<td>Transfer to Other Army R&amp;D Programs</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Reduce Excessive Growth from Last Year's Appropriated Level</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Line No</th>
<th>Program</th>
<th>FY 2002 Budget Request</th>
<th>House Authorized</th>
<th>Senate Authorized</th>
<th>Conference Agreement</th>
<th>Authorized</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td>Qty</td>
<td>Cost</td>
<td>Qty</td>
<td>Cost</td>
<td>Qty</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**December 12, 2001**
### Title I - Procurement

(Dollars in Thousands)

<table>
<thead>
<tr>
<th>Line No</th>
<th>Program</th>
<th>FY 2002</th>
<th>House</th>
<th>Senate</th>
<th>Conference Agreement</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td>Budget Request</td>
<td>Authorized</td>
<td>Authorized</td>
<td>Change</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Qty</td>
<td>Cost</td>
<td>Qty</td>
<td>Cost</td>
</tr>
<tr>
<td>17</td>
<td>MLRS MODS</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Transfer to Other Army R&amp;D Programs</td>
<td>23,599</td>
<td>20,599</td>
<td>20,599</td>
<td>(3,000)</td>
</tr>
<tr>
<td></td>
<td>Reduce Excessive Growth in Legacy System</td>
<td>[-3,000]</td>
<td></td>
<td>[-3,000]</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Spares and Repair Parts</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>18</td>
<td>SPARES AND REPAIR PARTS</td>
<td>15,299</td>
<td>15,299</td>
<td>15,299</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Support Equipment and Facilities</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>19</td>
<td>AIR DEFENSE TARGETS</td>
<td>3,325</td>
<td>3,325</td>
<td>3,325</td>
<td></td>
</tr>
<tr>
<td>20</td>
<td>ITEMS LESS THAN $5.0M (MISSILES)</td>
<td>1,039</td>
<td>1,039</td>
<td>1,039</td>
<td></td>
</tr>
<tr>
<td>21</td>
<td>MISSILE DEMILITARIZATION</td>
<td>1,358</td>
<td>1,358</td>
<td>1,358</td>
<td></td>
</tr>
<tr>
<td>22</td>
<td>PRODUCTION BASE SUPPORT</td>
<td>3,377</td>
<td>3,377</td>
<td>3,377</td>
<td></td>
</tr>
<tr>
<td>22a</td>
<td>Management Reform Initiatives</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Total - Missile Procurement Army</td>
<td>1,859,634</td>
<td>1,097,286</td>
<td>1,807,384</td>
<td>(772,680)</td>
</tr>
</tbody>
</table>
Procurement of Weapons and Tracked Combat Vehicles, Army—Overview

The budget request for fiscal year 2002 included an authorization of $2,276.7 million for Procurement of Weapons and Tracked Combat Vehicles, Army in the Department of Defense.

The Senate bill would authorize $2,276.7 million.

The House amendment would authorize $2,367.0 million.

The conferees recommended an authorization of $2,348.1 million. Unless noted explicitly in the statement of managers, all changes are made without prejudice.
## Title I - Procurement

(Dollars in Thousands)

<table>
<thead>
<tr>
<th>Line No</th>
<th>Program</th>
<th>FY 2002 Budget Request</th>
<th>House Authorized</th>
<th>Senate Authorized</th>
<th>Conference Agreement Change</th>
<th>Authorized</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td>Qty</td>
<td>Cost</td>
<td>Qty</td>
<td>Cost</td>
<td>Qty</td>
</tr>
<tr>
<td>1</td>
<td>Procurement of Weapons and Tracked Combat Vehicles, Army</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>2</td>
<td>Tracked Combat Vehicles</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>3</td>
<td>ABRAMS TRNG DEV MOD</td>
<td>5,545</td>
<td>5,545</td>
<td>5,545</td>
<td>5,545</td>
<td>60,000</td>
</tr>
<tr>
<td>4</td>
<td>BRADLEY BASE SUSTAINMENT</td>
<td>400,779</td>
<td>460,779</td>
<td>400,779</td>
<td>60,000</td>
<td>460,779</td>
</tr>
<tr>
<td></td>
<td>(AP-CY) Bradly A0 to A2ODs, ARNG</td>
<td></td>
<td>[60,000]</td>
<td></td>
<td>[60,000]</td>
<td></td>
</tr>
<tr>
<td>5</td>
<td>COMMAND &amp; CONTROL VEHICLE</td>
<td>2,681</td>
<td>2,681</td>
<td>2,681</td>
<td>2,681</td>
<td>2,681</td>
</tr>
<tr>
<td>6</td>
<td>BRADLEY MVS TRAINING DEVICES</td>
<td>2,609</td>
<td>2,609</td>
<td>2,609</td>
<td>2,609</td>
<td>2,609</td>
</tr>
<tr>
<td>7</td>
<td>HAB TRAINING DEVICES</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>8</td>
<td>INTERIM ARMORED VEHICLE (IAV) FAMILY</td>
<td>326</td>
<td>662,595</td>
<td>326</td>
<td>662,595</td>
<td>326</td>
</tr>
<tr>
<td>9</td>
<td>COMMAND &amp; CONTROL VEHICLE (AP-CY)</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>10</td>
<td>Modification of Tracked Combat Vehicles</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>12</td>
<td>M111 recapulization</td>
<td></td>
<td>[15,300]</td>
<td></td>
<td>[15,300]</td>
<td></td>
</tr>
<tr>
<td>13</td>
<td>FIST VEHICLE (MOD)</td>
<td>14,590</td>
<td>14,590</td>
<td>14,590</td>
<td>14,590</td>
<td>14,590</td>
</tr>
<tr>
<td>14</td>
<td>HEVS SERIES (MOD)</td>
<td>42,262</td>
<td>42,262</td>
<td>42,262</td>
<td>42,262</td>
<td>42,262</td>
</tr>
<tr>
<td>15</td>
<td>HOWITZER, MED SP FT 155MM M109A6 (MOD)</td>
<td>5,370</td>
<td>5,370</td>
<td>5,370</td>
<td>5,370</td>
<td>5,370</td>
</tr>
</tbody>
</table>
### Title I - Procurement

(Dollars in Thousands)

<table>
<thead>
<tr>
<th>Line No.</th>
<th>Program</th>
<th>FY 2002 Budget Request</th>
<th>House Authorized</th>
<th>Senate Authorized</th>
<th>Conference Agreement Change</th>
<th>Authorized</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td>Qty</td>
<td>Cost</td>
<td>Qty</td>
<td>Cost</td>
<td>Qty</td>
</tr>
<tr>
<td>15</td>
<td>FAASV PIP TO FLEET</td>
<td>18,501</td>
<td>18,501</td>
<td>18,501</td>
<td>18,501</td>
<td></td>
</tr>
<tr>
<td>16</td>
<td>IMPROVED RECOVERY VEHICLE (M88 MOD)</td>
<td>58,114</td>
<td>58,114</td>
<td>58,114</td>
<td>58,114</td>
<td></td>
</tr>
<tr>
<td>17</td>
<td>BREACHER SYSTEM (MOD)</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>18</td>
<td>HEAVY ASSAULT BRIDGE (HAAI) SYS (MOD)</td>
<td>48,592</td>
<td>48,592</td>
<td>48,592</td>
<td>48,592</td>
<td></td>
</tr>
<tr>
<td>19</td>
<td>ARMORED VEH LAUNCH BRIDGE (AVLB) (MOD)</td>
<td>4,025</td>
<td>4,025</td>
<td>4,025</td>
<td>4,025</td>
<td></td>
</tr>
<tr>
<td>20</td>
<td>M1 ABRAMS TANK (MOD)</td>
<td>113,485</td>
<td>113,485</td>
<td>113,485</td>
<td>113,485</td>
<td></td>
</tr>
<tr>
<td>21</td>
<td>M1AID RETROFIT</td>
<td>11,647</td>
<td>11,647</td>
<td>11,647</td>
<td>11,647</td>
<td></td>
</tr>
<tr>
<td>22</td>
<td>SYSTEM ENHANCEMENT PGM. SEP M1A2</td>
<td>102,152</td>
<td>102,152</td>
<td>102,152</td>
<td>102,152</td>
<td></td>
</tr>
<tr>
<td>23</td>
<td>ABRAMS UPGRADE PROGRAM</td>
<td>395,802</td>
<td>395,802</td>
<td>395,802</td>
<td>395,802</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Unjustified Cost Growth in Systems Technical Support</td>
<td></td>
<td>[-10,000]</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>24</td>
<td>ABRAMS UPGRADE PROGRAM (AP-CY)</td>
<td>194,438</td>
<td>194,438</td>
<td>194,438</td>
<td>194,438</td>
<td></td>
</tr>
<tr>
<td>25</td>
<td>MODIFICATIONS LESS THAN $5.0M (TCV-WTCV) Support Equipment and Facilities</td>
<td>146</td>
<td>146</td>
<td>146</td>
<td>146</td>
<td></td>
</tr>
<tr>
<td>26</td>
<td>ITEMS LESS THAN $5.0M (TCV-WTCV)</td>
<td>9,979</td>
<td>9,979</td>
<td>9,979</td>
<td>9,979</td>
<td></td>
</tr>
<tr>
<td>27</td>
<td>PRODUCTION BASE SUPPORT (TCV-WTCV)</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Weapons and Other Combat Vehicles</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>28</td>
<td>ARMOR MACHINE GUN, 7.62MM M240 SERIES</td>
<td>716</td>
<td>8,033</td>
<td>716</td>
<td>8,033</td>
<td></td>
</tr>
<tr>
<td>29</td>
<td>MACHINE GUN, 5 56MM (SAW)</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>30</td>
<td>GRENADE LAUNCHER, AUTO, 40MM, MK19-3</td>
<td>1510</td>
<td>28,826</td>
<td>1510</td>
<td>28,826</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Production base support</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>[10,000]</td>
<td>[10,000]</td>
<td>[10,000]</td>
<td>[10,000]</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>[6,000]</td>
<td>[6,000]</td>
<td>[6,000]</td>
<td>[6,000]</td>
<td></td>
</tr>
</tbody>
</table>
## Title I - Procurement

(Dollars in Thousands)

<table>
<thead>
<tr>
<th>Line</th>
<th>Program</th>
<th>FY 2002 Budget Request</th>
<th>House Authorized</th>
<th>Senate Authorized</th>
<th>Conference Agreement Change</th>
<th>Authorized Cost</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td>Qty</td>
<td>Cost</td>
<td>Qty</td>
<td>Cost</td>
<td>Qty</td>
</tr>
<tr>
<td>31</td>
<td>81MM MORTAR (ROH L)</td>
<td></td>
<td>3,321</td>
<td></td>
<td>3,321</td>
<td></td>
</tr>
<tr>
<td>32</td>
<td>M16 RIFLE</td>
<td>3060</td>
<td>1,978</td>
<td>3060</td>
<td>1,978</td>
<td>3060</td>
</tr>
<tr>
<td>33</td>
<td>XM107, CAL .50, SNIPER RIFLE</td>
<td>150</td>
<td>2,149</td>
<td>150</td>
<td>2,149</td>
<td>150</td>
</tr>
<tr>
<td>34</td>
<td>5.56 CARBINE M4</td>
<td>2800</td>
<td>2,400</td>
<td>2800</td>
<td>2,400</td>
<td>2800</td>
</tr>
<tr>
<td>35</td>
<td>HOWITZER L T WT 155MM (1)</td>
<td>1,107</td>
<td>1,107</td>
<td>1,107</td>
<td>1,107</td>
<td></td>
</tr>
</tbody>
</table>

Modification of Weapons and Other Combat Vehicles

36   MARK 19 MODIFICATIONS | 745 | 745 | 745 | 745 | 745 | 745 |
37   M4 CARBINE MODS |     |     |     |     |     |     |
38   SQUAD AUTOMATIC WEAPON (MOD) | 4,450 | 4,450 | 4,450 | 4,450 |     | 4,450 |
39   MEDIUM MACHINE GUNS (MODS) | 746 | 746 | 746 | 746 |     | 746 |
40   HOWITZER, TOWED, 155MM, M1998 (MODS) | 2,823 | 2,823 | 2,823 | 2,823 |     | 2,823 |
41   M119 MODIFICATIONS | 4,887 | 4,887 | 4,887 | 4,887 |     | 4,887 |
42   M16 RIFLE MODS | 2,100 | 2,100 | 2,100 | 2,100 |     | 2,100 |
43   MODIFICATIONS LESS THAN $5.0M (WOCV-WTCV) | 1,261 | 1,261 | 1,261 | 1,261 |     | 1,261 |

Support Equipment and Facilities

44   ITEMS LESS THAN $5.0M (WOCV-WTCV) | 1,275 | 1,275 | 1,275 | 1,275 |     | 1,275 |
45   PRODUCTION BASE SUPPORT (WOCV-WTCV) | 6,430 | 6,430 | 6,430 | 6,430 |     | 6,430 |
46   INDUSTRIAL PREPAREDNESS | 4,270 | 19,270 | 4,270 | 15,000 | 19,270 | 15,000 |

Arsenal Support Initiative

47   SMALL ARMS (SOLDIER ENH PROG) | 303 | 303 | 303 | 303 |     | 303 |
# Title I - Procurement
(Dollars in Thousands)

<table>
<thead>
<tr>
<th>Line No</th>
<th>Program</th>
<th>FY 2002 Budget Request</th>
<th>House Authorized</th>
<th>Senate Authorized</th>
<th>Conference Agreement</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td>Qty</td>
<td>Cost</td>
<td>Qty</td>
<td>Cost</td>
</tr>
<tr>
<td></td>
<td>Spares and Repair Parts</td>
<td>37,135</td>
<td>37,135</td>
<td>37,135</td>
<td>37,135</td>
</tr>
<tr>
<td>48</td>
<td>SPARES AND REPAIR PARTS (WTCV)</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>48a</td>
<td>Management Reform Initiatives</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td><strong>Total - Procurement of WTCV, Army</strong></td>
<td>2,276,746</td>
<td>2,367,046</td>
<td>2,276,746</td>
<td>2,276,746</td>
</tr>
</tbody>
</table>
Procurement of Ammunition, Army—Overview

The budget request for fiscal year 2002 included an authorization of $1.193.4 million for Procurement of Ammunition, Army in the Department of Defense.

The Senate bill would authorize $1,187.6 million.

The House amendment would authorize $1,208.6 million.

The conferees recommended an authorization of $1,187.2 million. Unless noted explicitly in the statement of managers, all changes are made without prejudice.
# Title 1 - Procurement

(Dollars in Thousands)

<table>
<thead>
<tr>
<th>Line No</th>
<th>Program</th>
<th>FY 2002 Budget Request</th>
<th>House Authorized</th>
<th>Senate Authorized</th>
<th>Conference Agreement Change</th>
<th>Authorized</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td>Qty</td>
<td>Cost</td>
<td>Qty</td>
<td>Cost</td>
<td>Qty</td>
</tr>
<tr>
<td>2</td>
<td>CTG 556MM ARMOR PIERCING M995</td>
<td>2605</td>
<td>3,551</td>
<td>2605</td>
<td>3,551</td>
<td>2605</td>
</tr>
<tr>
<td>3</td>
<td>CTG 7 62MM, ALL TYPES</td>
<td>11,833</td>
<td>2,412</td>
<td>11,833</td>
<td>2,412</td>
<td>11,833</td>
</tr>
<tr>
<td>4</td>
<td>CTG 7 62MM ARMOR PIERCING XM993</td>
<td>1168</td>
<td>2,412</td>
<td>1168</td>
<td>2,412</td>
<td>1168</td>
</tr>
<tr>
<td>5</td>
<td>CTG, 9MM, ALL TYPES</td>
<td>2,657</td>
<td>3,211</td>
<td>2,657</td>
<td>3,211</td>
<td>2,657</td>
</tr>
<tr>
<td>6</td>
<td>CTG, .50 CAL, ALL TYPES</td>
<td>404</td>
<td>3,211</td>
<td>404</td>
<td>3,211</td>
<td>404</td>
</tr>
<tr>
<td>7</td>
<td>CTG CAL, .50 AP1 MK211 MOD 0</td>
<td>85</td>
<td>85</td>
<td>85</td>
<td>85</td>
<td>85</td>
</tr>
<tr>
<td>8</td>
<td>CTG, 20MM, ALL TYPES</td>
<td>46,231</td>
<td>9,811</td>
<td>46,231</td>
<td>9,811</td>
<td>46,231</td>
</tr>
<tr>
<td>10</td>
<td>CTG, 30MM, ALL TYPES</td>
<td>5</td>
<td>5,891</td>
<td>5</td>
<td>5,891</td>
<td>5</td>
</tr>
<tr>
<td>11</td>
<td>CTG, 40MM, ALL TYPES</td>
<td>45,389</td>
<td>45,389</td>
<td>45,389</td>
<td>45,389</td>
<td>45,389</td>
</tr>
<tr>
<td>12</td>
<td>NONLETHAL WEAPONS CAPABILITY SET</td>
<td>8</td>
<td>8</td>
<td>8</td>
<td>8</td>
<td>8</td>
</tr>
<tr>
<td></td>
<td>Mortar Ammunition</td>
<td>4,000</td>
<td>4,000</td>
<td>4,000</td>
<td>4,000</td>
<td></td>
</tr>
<tr>
<td>14</td>
<td>81MM MORTAR, ALL TYPES</td>
<td>[8,000]</td>
<td>[8,000]</td>
<td>[8,000]</td>
<td>[8,000]</td>
<td>[8,000]</td>
</tr>
<tr>
<td>15</td>
<td>CTG MORTAR 120MM HE M934 W/MO FUZE</td>
<td>50</td>
<td>50</td>
<td>50</td>
<td>50</td>
<td>50</td>
</tr>
</tbody>
</table>


### Title I - Procurement

(Dollars in Thousands)

<table>
<thead>
<tr>
<th>Line No</th>
<th>Program</th>
<th>FY 2002 Budget Request</th>
<th>House Authorized</th>
<th>Senate Authorized</th>
<th>Conference Agreement Change</th>
<th>Authorized</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td>Qty</td>
<td>Cost</td>
<td>Qty</td>
<td>Cost</td>
<td>Qty</td>
</tr>
<tr>
<td>16</td>
<td>CTG MORTAR 120MM HI LUM XM930 W/MTSQ White Phosphorous Production Line Upgrade</td>
<td>2</td>
<td>3,521</td>
<td>2</td>
<td>6,321</td>
<td>2</td>
</tr>
<tr>
<td>17</td>
<td>CTG 120MM WP SMOKE M929A1</td>
<td>11</td>
<td>11,480</td>
<td>11</td>
<td>11,480</td>
<td>11</td>
</tr>
<tr>
<td>18</td>
<td>CTG 120MM H II LUM XM983</td>
<td>2</td>
<td>3,521</td>
<td>2</td>
<td>8,521</td>
<td>2</td>
</tr>
<tr>
<td></td>
<td>Tank Ammunition</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>19</td>
<td>CTG, 105MM, HEP-T, W/DETE F/TANK M393</td>
<td>1</td>
<td>6,036</td>
<td>1</td>
<td>6,036</td>
<td>1</td>
</tr>
<tr>
<td>20</td>
<td>CTG 120MM APFSDS-T M829A2/M829E3</td>
<td>5</td>
<td>35,596</td>
<td>5</td>
<td>35,596</td>
<td>5</td>
</tr>
<tr>
<td>21</td>
<td>CTG 120MM HEAT-MP-T M830A1</td>
<td>86</td>
<td>46,200</td>
<td>86</td>
<td>46,200</td>
<td>86</td>
</tr>
<tr>
<td>22</td>
<td>CTG TANK 120MM TP-T M831/M831A1</td>
<td>198</td>
<td>97,487</td>
<td>198</td>
<td>97,487</td>
<td>198</td>
</tr>
<tr>
<td>23</td>
<td>CTG TANK 120MM TPCSDS-T M865</td>
<td>198</td>
<td>97,487</td>
<td>198</td>
<td>97,487</td>
<td>198</td>
</tr>
<tr>
<td></td>
<td>Artillery Ammunition</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>24</td>
<td>CTG ARTY 75MM BLANK M337A1</td>
<td>38</td>
<td>1,824</td>
<td>38</td>
<td>1,824</td>
<td>38</td>
</tr>
<tr>
<td>25</td>
<td>CTG ARTY 105MM BLANK M395</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>26</td>
<td>CTG ARTY 105MM DPICM XM915</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>27</td>
<td>CTG ARTY 105MM M927</td>
<td>14</td>
<td>14</td>
<td>14</td>
<td>14</td>
<td>14</td>
</tr>
<tr>
<td>28</td>
<td>CTG ARTY 105MM HI LUM M314 SERIES</td>
<td>6</td>
<td>5,037</td>
<td>6</td>
<td>5,037</td>
<td>6</td>
</tr>
<tr>
<td>29</td>
<td>PROJ ARTY 155MM SMOKE WP M825</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>30</td>
<td>PROJ ARTY 155MM HE M795</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>31</td>
<td>PROJ ARTY 155MM SADARM M898</td>
<td>10,000</td>
<td>5,000</td>
<td>10,000</td>
<td>5,000</td>
<td>5,000</td>
</tr>
<tr>
<td>Line No</td>
<td>Program</td>
<td>FY 2002 Budget Request</td>
<td>House Authorized</td>
<td>Senate Authorized</td>
<td>Conference Agreement</td>
<td></td>
</tr>
<tr>
<td>---------</td>
<td>--------------------------------------------------------------------------</td>
<td>------------------------</td>
<td>------------------</td>
<td>-------------------</td>
<td>----------------------</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Qty</td>
<td>Cost</td>
<td>Qty</td>
<td>Cost</td>
<td>Qty</td>
</tr>
<tr>
<td>32</td>
<td>REMOTE AREA DENIAL ARTILLERY MUNITION (RADAM)</td>
<td>104</td>
<td>48,218</td>
<td>104</td>
<td>20,818</td>
<td>104</td>
</tr>
<tr>
<td></td>
<td>Use FY 01 Funds to Meet FY 02 Requirements</td>
<td></td>
<td>[-27,400]</td>
<td></td>
<td>[-20,800]</td>
<td></td>
</tr>
<tr>
<td>33</td>
<td>PROJ ARTY 155MM HE M107</td>
<td>224</td>
<td>41,400</td>
<td>224</td>
<td>41,400</td>
<td>224</td>
</tr>
<tr>
<td>34</td>
<td>MODULAR ARTILLERY CHARGE SYSTEM (MACS)</td>
<td>836</td>
<td>87,413</td>
<td>836</td>
<td>87,413</td>
<td>836</td>
</tr>
<tr>
<td></td>
<td>Artillery Fuzes</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>35</td>
<td>ARTILLERY FUZES, ALL TYPES</td>
<td>56,443</td>
<td>56,443</td>
<td>56,443</td>
<td>56,443</td>
<td>56,443</td>
</tr>
<tr>
<td></td>
<td>Mines</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>36</td>
<td>MINE, TRAINING, ALL TYPES</td>
<td>9,536</td>
<td>9,536</td>
<td>9,536</td>
<td>9,536</td>
<td>9,536</td>
</tr>
<tr>
<td>37</td>
<td>MINE AT M87 (VOLCANO)</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>38</td>
<td>WIDE AREA MUNITIONS</td>
<td>2,025</td>
<td>2,025</td>
<td>2,025</td>
<td>2,025</td>
<td>2,025</td>
</tr>
<tr>
<td></td>
<td>Rockets</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>39</td>
<td>BUNKER DEFEATING MUNITION (BDM)</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Bunker Defeating Munition (BDM)</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>40</td>
<td>ROCKET, HYDRA 70, ALL TYPES</td>
<td>136,654</td>
<td>136,654</td>
<td>136,654</td>
<td>136,654</td>
<td>136,654</td>
</tr>
</tbody>
</table>

(Dollars in Thousands)
### Title I - Procurement

(Dollars in Thousands)

<table>
<thead>
<tr>
<th>Line No</th>
<th>Program</th>
<th>FY 2002 Budget Request</th>
<th>House Authorized Qty</th>
<th>House Authorized Cost</th>
<th>Senate Authorized Qty</th>
<th>Senate Authorized Cost</th>
<th>Conference Agreement Change Qty</th>
<th>Conference Agreement Change Cost</th>
<th>Authorized Qty</th>
<th>Authorized Cost</th>
</tr>
</thead>
<tbody>
<tr>
<td>41</td>
<td>Other Ammunition</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>DEMOLITION MUNITIONS, ALL TYPES</td>
<td>18,168</td>
<td>21,168</td>
<td>23,168</td>
<td>4,500</td>
<td>22,668</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Modernization Demolition Initiators</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Anti-personnel Obstacle Breaching System</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>42</td>
<td>GRENADES, ALL TYPES</td>
<td>25,710</td>
<td>25,710</td>
<td>25,710</td>
<td>25,710</td>
<td>25,710</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>43</td>
<td>SIGNALS, ALL TYPES</td>
<td>10,611</td>
<td>16,811</td>
<td>10,611</td>
<td>10,611</td>
<td>10,611</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>XM-211 / XM-212 AIRCM</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>44</td>
<td>SIMULATORS, ALL TYPES</td>
<td>3,409</td>
<td>3,409</td>
<td>3,409</td>
<td>3,409</td>
<td>3,409</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Miscellaneous</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>45</td>
<td>AMMO COMPONENTS, ALL TYPES</td>
<td>6,874</td>
<td>6,874</td>
<td>6,874</td>
<td>6,874</td>
<td>6,874</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>46</td>
<td>CAD/PAD ALL TYPES</td>
<td>5,037</td>
<td>5,037</td>
<td>5,037</td>
<td>5,037</td>
<td>5,037</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>47</td>
<td>ITEMS LESS THAN $5 MILLION</td>
<td>11,018</td>
<td>11,018</td>
<td>11,018</td>
<td>11,018</td>
<td>11,018</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>48</td>
<td>AMMUNITION PECULIAR EQUIPMENT</td>
<td>8,816</td>
<td>8,816</td>
<td>8,816</td>
<td>8,816</td>
<td>8,816</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>49</td>
<td>FIRST DESTINATION TRANSPORTATION (AMMO)</td>
<td>5,218</td>
<td>5,218</td>
<td>5,218</td>
<td>5,218</td>
<td>5,218</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>50</td>
<td>CLOSEOUT LIABILITIES</td>
<td>32,213</td>
<td>32,213</td>
<td>32,213</td>
<td>32,213</td>
<td>32,213</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Ammunition Production Base Support</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>51</td>
<td>PROVISION OF INDUSTRIAL FACILITIES</td>
<td>57,277</td>
<td>57,277</td>
<td>57,277</td>
<td>57,277</td>
<td>57,277</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>52</td>
<td>LAYAWAY OF INDUSTRIAL FACILITIES</td>
<td>13,815</td>
<td>13,815</td>
<td>13,815</td>
<td>13,815</td>
<td>13,815</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>53</td>
<td>MAINTENANCE OF INACTIVE FACILITIES</td>
<td>10,802</td>
<td>10,802</td>
<td>10,802</td>
<td>10,802</td>
<td>10,802</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
### Title I - Procurement

(Dollars in Thousands)

<table>
<thead>
<tr>
<th>Line No</th>
<th>Program</th>
<th>FY 2002 Budget Request</th>
<th>House Authorized</th>
<th>Senate Authorized</th>
<th>Conference Agreement</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td>Qty</td>
<td>Cost</td>
<td>Qty</td>
<td>Cost</td>
</tr>
<tr>
<td>54</td>
<td>CONVENTIONAL AMMO DEMILITARIZATION</td>
<td>73,225</td>
<td>73,225</td>
<td>73,225</td>
<td>73,225</td>
</tr>
<tr>
<td>55</td>
<td>ARMS INITIATIVE</td>
<td>4,701</td>
<td>12,301</td>
<td>4,701</td>
<td>4,701</td>
</tr>
<tr>
<td>55b</td>
<td>Management Reform Initiatives</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td>Procurement of Ammunition, Army</td>
<td>1,193,365</td>
<td>1,208,565</td>
<td>1,187,565</td>
<td>(6,132)</td>
</tr>
</tbody>
</table>


Other Procurement, Army—Overview

The budget request for fiscal year 2002 included an authorization of $3.961.7 million for Other Procurement, Army in the Department of Defense.

The Senate bill would authorize $4.024.5 million.

The House amendment would authorize $4.144.0 million.

The conferees recommended an authorization of $4.044.1 million. Unless noted explicitly in the statement of managers, all changes are made without prejudice.
## Title I - Procurement

(Dollars in Thousands)

<table>
<thead>
<tr>
<th>Line No</th>
<th>Program</th>
<th>FY 2002 Budget Request</th>
<th>House Authorized</th>
<th>Senate Authorized</th>
<th>Conference Agreement Change</th>
<th>Authorized</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td>Qty</td>
<td>Cost</td>
<td>Qty</td>
<td>Cost</td>
<td>Qty</td>
</tr>
<tr>
<td>1</td>
<td>TACTICAL TRAILERS/DOLLY SETS</td>
<td>3,723</td>
<td>3,723</td>
<td>3,723</td>
<td></td>
<td></td>
</tr>
<tr>
<td>2</td>
<td>SEMITRAILERS, FLATBED</td>
<td>29,317</td>
<td>29,317</td>
<td>29,317</td>
<td></td>
<td></td>
</tr>
<tr>
<td>3</td>
<td>SEMITRAILERS, TANKERS</td>
<td>6,664</td>
<td>6,664</td>
<td>6,664</td>
<td></td>
<td></td>
</tr>
<tr>
<td>4</td>
<td>SEMITRAILER VAN CGO SUPPLY 12 T 4WHL M129ATC</td>
<td>95</td>
<td>7,300</td>
<td>95</td>
<td>7,300</td>
<td>95</td>
</tr>
<tr>
<td>5</td>
<td>HI MOB MULTI-PURP WHL VEH (HMMWV)</td>
<td>130,821</td>
<td>130,821</td>
<td>130,821</td>
<td></td>
<td></td>
</tr>
<tr>
<td>6</td>
<td>TRUCK, DUMP, 20T (CCE)</td>
<td>30</td>
<td>8,078</td>
<td>30</td>
<td>8,078</td>
<td>30</td>
</tr>
<tr>
<td>7</td>
<td>FAMILY OF MEDIUM TACTICAL VEH (FMTV)</td>
<td>467,386</td>
<td>467,386</td>
<td>467,386</td>
<td></td>
<td></td>
</tr>
<tr>
<td>8</td>
<td>FIRE TRUCKS &amp; ASSOCIATED FIREFIGHTING EQUIPMENT</td>
<td>5,024</td>
<td>5,024</td>
<td>5,024</td>
<td></td>
<td></td>
</tr>
<tr>
<td>9</td>
<td>FAMILY OF HEAVY TACTICAL VEHICLES (FHTV)</td>
<td>157,633</td>
<td>157,633</td>
<td>157,633</td>
<td></td>
<td></td>
</tr>
<tr>
<td>10</td>
<td>ARMORED SECURITY VEHICLES (ASV)</td>
<td>20</td>
<td>14,483</td>
<td>20</td>
<td>14,483</td>
<td>20</td>
</tr>
<tr>
<td>11</td>
<td>TRUCK, TRACTOR, LINE HAUL, M915/M916</td>
<td>47,507</td>
<td>47,507</td>
<td>47,507</td>
<td></td>
<td></td>
</tr>
<tr>
<td>12</td>
<td>TOWING DEVICE, 5TH WHEEL</td>
<td>34</td>
<td>2,013</td>
<td>34</td>
<td>2,013</td>
<td>34</td>
</tr>
<tr>
<td>13</td>
<td>TRUCK, TRACTOR, YARD TYPE, M878 (C/S)</td>
<td>35</td>
<td>4,003</td>
<td>35</td>
<td>4,003</td>
<td>35</td>
</tr>
<tr>
<td>Line</td>
<td>Program</td>
<td>FY 2002 Budget Request</td>
<td>House Authorized</td>
<td>Senate Authorized</td>
<td>Conference Agreement</td>
<td></td>
</tr>
<tr>
<td>------</td>
<td>---------</td>
<td>------------------------</td>
<td>-----------------</td>
<td>-----------------</td>
<td>---------------------</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Qty</td>
<td>Cost</td>
<td>Qty</td>
<td>Cost</td>
<td>Qty</td>
</tr>
<tr>
<td>14</td>
<td>IVY EXPANDED MOBILE TACTICAL TRUCK EXT SERV PROGRAM</td>
<td>169</td>
<td>31,304</td>
<td>169</td>
<td>31,304</td>
<td>169</td>
</tr>
<tr>
<td></td>
<td>Align with 3rd IBCT Production &amp; Fielding</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>15</td>
<td>LINE HAUL ESP</td>
<td>240</td>
<td>18,515</td>
<td>240</td>
<td>18,515</td>
<td>240</td>
</tr>
<tr>
<td>16</td>
<td>MODIFICATION OF IN SVC EQUIP</td>
<td>49,184</td>
<td>59,184</td>
<td>49,184</td>
<td></td>
<td>49,184</td>
</tr>
<tr>
<td></td>
<td>Wheel-to-Track Conversion System</td>
<td></td>
<td>[10,000]</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>17</td>
<td>ITEMS LESS THAN $50M (TAC VEH) Non-tactical Vehicles</td>
<td>1,903</td>
<td>1,903</td>
<td>1,903</td>
<td></td>
<td>1,903</td>
</tr>
<tr>
<td>18</td>
<td>HEAVY ARMORED SEDAN</td>
<td>3</td>
<td>585</td>
<td>3</td>
<td>585</td>
<td>3</td>
</tr>
<tr>
<td>19</td>
<td>PASSENGER CARRYING VEHICLES</td>
<td>1,115</td>
<td>1,115</td>
<td>1,115</td>
<td></td>
<td>1,115</td>
</tr>
<tr>
<td>20</td>
<td>NONTACTICAL VEHICLES, OTHER Communications and Electronics Equipment Comm-Joint Communications</td>
<td>53</td>
<td>5,458</td>
<td>53</td>
<td>5,458</td>
<td>53</td>
</tr>
<tr>
<td>21</td>
<td>COMBAT IDENTIFICATION PROGRAM</td>
<td>13,147</td>
<td>13,147</td>
<td>13,147</td>
<td></td>
<td>13,147</td>
</tr>
<tr>
<td>22</td>
<td>JUSE EQUIPMENT (USREDCOM) Comm-Satellite Communications</td>
<td>5,594</td>
<td>5,594</td>
<td>5,594</td>
<td></td>
<td>5,594</td>
</tr>
<tr>
<td>23</td>
<td>DEFENSE SATCOM SYSTEM (SPACE)</td>
<td>99,420</td>
<td>99,420</td>
<td>99,420</td>
<td></td>
<td>99,420</td>
</tr>
<tr>
<td>24</td>
<td>SHE-TERM Incumbent contractor terminated; plans unclear</td>
<td>16,951</td>
<td>[-16,951]</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
### Title I - Procurement

(Dollars in Thousands)

<table>
<thead>
<tr>
<th>Line No</th>
<th>Program</th>
<th>FY 2002 Budget Request</th>
<th>House Authorized</th>
<th>Senate Authorized</th>
<th>Conference Agreement</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td>Qty</td>
<td>Cost</td>
<td>Qty</td>
<td>Cost</td>
</tr>
<tr>
<td>25</td>
<td>SAT TERM, EMUT (SPACE)</td>
<td>12,640</td>
<td>12,640</td>
<td>12,640</td>
<td>12,640</td>
</tr>
<tr>
<td>26</td>
<td>NAVSTAR GLOBAL POSITIONING SYSTEM (SPACE)</td>
<td>7120</td>
<td>20,806</td>
<td>7120</td>
<td>20,806</td>
</tr>
<tr>
<td>27</td>
<td>SMART-T (SPACE)</td>
<td>21,704</td>
<td>21,704</td>
<td>21,704</td>
<td>21,704</td>
</tr>
<tr>
<td>28</td>
<td>SCAMP (SPACE)</td>
<td>3,562</td>
<td>3,562</td>
<td>3,562</td>
<td>3,562</td>
</tr>
<tr>
<td>29</td>
<td>GLOBAL HRCST SVC - GHS</td>
<td>6,969</td>
<td>6,969</td>
<td>6,969</td>
<td>6,969</td>
</tr>
<tr>
<td>30</td>
<td>MOD OF IN-SVC EQUIP (TAC SAT)</td>
<td>2,492</td>
<td>2,492</td>
<td>15,592</td>
<td>13,100</td>
</tr>
<tr>
<td></td>
<td>Secure Enroute Communications</td>
<td></td>
<td></td>
<td>[13,100]</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Comm-C3 System</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>31</td>
<td>ARMY GLOBAL CMD &amp; CONTROL SYS (AGCCS)</td>
<td>8,622</td>
<td>8,622</td>
<td>8,622</td>
<td>8,622</td>
</tr>
<tr>
<td></td>
<td>Comm-Combat Communications</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>32</td>
<td>ARMY DATA DISTRIBUTION SYSTEM (DATA RADIO)</td>
<td>46,332</td>
<td>46,332</td>
<td>56,332</td>
<td>7,000</td>
</tr>
<tr>
<td></td>
<td>Enhanced Position Location &amp; Reporting System (EPLRS)</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>33</td>
<td>SINCgars FAMILY</td>
<td>20,687</td>
<td>20,687</td>
<td>24,187</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Transfer from PE 23761A (RDA 160) - GPS in SINCgars</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>34</td>
<td>TRACTOR CAGE</td>
<td>1,866</td>
<td>1,866</td>
<td>1,866</td>
<td>1,866</td>
</tr>
<tr>
<td>35</td>
<td>JOINT TACTICAL AREA COMMAND SYSTEMS</td>
<td>971</td>
<td>971</td>
<td>971</td>
<td>971</td>
</tr>
</tbody>
</table>
### Title I - Procurement

(Dollars in Thousands)

<table>
<thead>
<tr>
<th>Line No</th>
<th>Program</th>
<th>FY 2002 Budget Request</th>
<th>House Authorized</th>
<th>Senate Authorized</th>
<th>Conference Agreement</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td>Qty</td>
<td>Cost</td>
<td>Qty</td>
<td>Cost</td>
</tr>
<tr>
<td>36</td>
<td>ACUS MOD PROGRAM</td>
<td>113,137</td>
<td>113,137</td>
<td>153,137</td>
<td>[40,000]</td>
</tr>
<tr>
<td></td>
<td>Downsize Communications Switches and Shelters</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>37</td>
<td>COMMS ELEC EQUIP FIELDING</td>
<td>3,412</td>
<td>3,412</td>
<td>3,412</td>
<td>5,000</td>
</tr>
<tr>
<td>37a</td>
<td>Improved High Frequency Radio, USAR</td>
<td>10,000</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Replace older, unsupportable HF radios in the USAR</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>38</td>
<td>SOLDIER ENHANCEMENT PROGRAM</td>
<td>5,136</td>
<td>5,136</td>
<td>5,136</td>
<td></td>
</tr>
<tr>
<td></td>
<td>COMM/ELECTRONICS</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>39</td>
<td>PRODUCT IMPROVED COMBAT VEHICLE</td>
<td>5,136</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>CREWMAN HEADSETS</td>
<td>9,000</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Complete replacement of Headsets to eliminate EMI communications losses</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>40</td>
<td>COMBAT SURVIVOR EVADER LOCATOR (CSE)</td>
<td>12,720</td>
<td>12,720</td>
<td>12,720</td>
<td></td>
</tr>
<tr>
<td>41</td>
<td>MEDICAL COMM FOR CBH CASUALTY CARE (MC4)</td>
<td>7,703</td>
<td>7,703</td>
<td>7,703</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Comm-Intelligence Communications</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>42</td>
<td>CIA AUTOMATION ARCHITECTURE</td>
<td>1,635</td>
<td>1,635</td>
<td>1,635</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Information Security</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>43</td>
<td>TSEC - ARMY KEY MGT SYS (AKMS)</td>
<td>12,203</td>
<td>12,203</td>
<td>12,203</td>
<td></td>
</tr>
</tbody>
</table>
## Title I - Procurement

(Dollars in Thousands)

<table>
<thead>
<tr>
<th>Line No</th>
<th>Program</th>
<th>FY 2002 Budget Request</th>
<th>House Authorized</th>
<th>Senate Authorized</th>
<th>Conference Agreement Change</th>
<th>Authorized</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td>Qty</td>
<td>Cost</td>
<td>Qty</td>
<td>Cost</td>
<td>Qty</td>
</tr>
<tr>
<td>44</td>
<td>INFORMATION SYSTEM SECURITY PROGRAM- ISSP</td>
<td>42,244</td>
<td>52,244</td>
<td>42,244</td>
<td>3,000</td>
<td>45,244</td>
</tr>
<tr>
<td></td>
<td>Additional Secure Terminal Equipment</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Comm-Long Haul Communications</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>45</td>
<td>TERRESTRIAL TRANSMISSION</td>
<td>2,038</td>
<td>2,038</td>
<td>2,038</td>
<td></td>
<td>2,038</td>
</tr>
<tr>
<td>46</td>
<td>BASE SUPPORT COMMUNICATIONS</td>
<td>11,739</td>
<td>11,739</td>
<td>11,739</td>
<td></td>
<td>11,739</td>
</tr>
<tr>
<td>47</td>
<td>ARMY DISN ROUTER</td>
<td>4,931</td>
<td>4,931</td>
<td>4,931</td>
<td></td>
<td>4,931</td>
</tr>
<tr>
<td>48</td>
<td>ELECTROMAG COMP PROG (EMCP)</td>
<td>462</td>
<td>462</td>
<td>462</td>
<td></td>
<td>462</td>
</tr>
<tr>
<td>49</td>
<td>WW TECH CON IMP PROG (WWTCP)</td>
<td>2,998</td>
<td>2,998</td>
<td>2,998</td>
<td></td>
<td>2,998</td>
</tr>
<tr>
<td></td>
<td>Comm-Base Communications</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>50</td>
<td>INFORMATION SYSTEMS</td>
<td>166,679</td>
<td>166,679</td>
<td>166,679</td>
<td></td>
<td>166,679</td>
</tr>
<tr>
<td>51</td>
<td>DEFENSE MESSAGE SYSTEM (DMS)</td>
<td>18,463</td>
<td>18,463</td>
<td>18,463</td>
<td></td>
<td>18,463</td>
</tr>
<tr>
<td>52</td>
<td>LOCAL AREA NETWORK (LAN)</td>
<td>103,965</td>
<td>103,965</td>
<td>103,965</td>
<td></td>
<td>103,965</td>
</tr>
<tr>
<td>53</td>
<td>PENTAGON INFORMATION MGT AND TELECOM</td>
<td>33,605</td>
<td>33,605</td>
<td>33,605</td>
<td></td>
<td>33,605</td>
</tr>
<tr>
<td></td>
<td>Elect Equip-Nat For Int Prog (NFIP)</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>54</td>
<td>FOREIGN COUNTERINTELLIGENCE PROG (FCI)</td>
<td>877</td>
<td>877</td>
<td>877</td>
<td></td>
<td>877</td>
</tr>
<tr>
<td>55</td>
<td>GENERAL DEFENSE INTELL. PROG (GDIP)</td>
<td>27,994</td>
<td>27,994</td>
<td>27,994</td>
<td></td>
<td>27,994</td>
</tr>
<tr>
<td></td>
<td>Elect Equip-Tact Int Rel Act (TIARA)</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>56</td>
<td>ALL SOURCE ANALYSIS SYS (ASAS) (TIARA)</td>
<td>46,931</td>
<td>46,931</td>
<td>46,931</td>
<td></td>
<td>46,931</td>
</tr>
<tr>
<td>57</td>
<td>JTV/CIBS-M (TIARA)</td>
<td>59</td>
<td>10,345</td>
<td>59</td>
<td>10,345</td>
<td>59</td>
</tr>
</tbody>
</table>
## Title I - Procurement
(Dollars in Thousands)

<table>
<thead>
<tr>
<th>Line No</th>
<th>Program</th>
<th>FY 2002 Budget Request</th>
<th>House Authorized</th>
<th>Senate Authorized</th>
<th>Conference Agreement</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td>Qty</td>
<td>Cost</td>
<td>Qty</td>
<td>Cost</td>
</tr>
<tr>
<td>58</td>
<td>PROPHET GROUND (TIARA)</td>
<td>28</td>
<td>15,734</td>
<td>28</td>
<td>15,734</td>
</tr>
<tr>
<td>59</td>
<td>TACTICAL UNMANNED AERIAL VEHICLE (TUAV)</td>
<td></td>
<td></td>
<td>12</td>
<td>84,300</td>
</tr>
<tr>
<td></td>
<td>Upgrade 1 RIP sensors for use by Objective Force</td>
<td></td>
<td></td>
<td></td>
<td>[7,300]</td>
</tr>
<tr>
<td>60</td>
<td>JOINT STARS (ARMY) (TIARA)</td>
<td></td>
<td></td>
<td>21,304</td>
<td>21,304</td>
</tr>
<tr>
<td>61</td>
<td>DIGITAL TOPOGRAPHIC SFT SYS (DTSS) (TIARA)</td>
<td></td>
<td></td>
<td>20,124</td>
<td>20,124</td>
</tr>
<tr>
<td>62</td>
<td>DRUG INTERDICT PROGRAM (DIP) (TIARA)</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>63</td>
<td>TACTICAL EXPLOITATION OF NATIONAL CAPABILITIES</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>64</td>
<td>TACTICAL EXPLOITATION SYSTEM/DCGS-A (TIARA)</td>
<td></td>
<td></td>
<td>26,168</td>
<td>26,168</td>
</tr>
<tr>
<td></td>
<td>Transfer from PE 35208A (RODA 175) - Tactical Surveillance System</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>65</td>
<td>COMMON IMAGERY GROUND/SURFACE SYSTEM (CISS)</td>
<td></td>
<td></td>
<td>2,611</td>
<td>2,611</td>
</tr>
<tr>
<td>66</td>
<td>TROJAN (TIARA)</td>
<td></td>
<td></td>
<td>4,895</td>
<td>4,895</td>
</tr>
<tr>
<td>67</td>
<td>MOD OF IN-SVC EQUIP (INTEL SFT) (TIARA)</td>
<td></td>
<td></td>
<td>1,744</td>
<td>1,744</td>
</tr>
<tr>
<td>68</td>
<td>CI HUMINT AUTOMATED TOOL SET (CHAT) (TIARA)</td>
<td></td>
<td></td>
<td>1,492</td>
<td>1,492</td>
</tr>
<tr>
<td>69</td>
<td>ITEMS LESS THAN $5 0M (TIARA)</td>
<td></td>
<td></td>
<td>2,091</td>
<td>2,091</td>
</tr>
</tbody>
</table>
### Title I - Procurement
(Dollars in Thousands)

<table>
<thead>
<tr>
<th>Line No</th>
<th>Program</th>
<th>FY 2002 Budget Request</th>
<th>House Authorized</th>
<th>Senate Authorized</th>
<th>Conference Agreement</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td>Qty</td>
<td>Cost</td>
<td>Qty</td>
<td>Cost</td>
</tr>
<tr>
<td>70</td>
<td>SHORTSTOP</td>
<td>5</td>
<td></td>
<td>5</td>
<td></td>
</tr>
<tr>
<td>72</td>
<td>FAAD GHS</td>
<td>1,887</td>
<td>1,887</td>
<td>1,887</td>
<td>1,887</td>
</tr>
<tr>
<td>73</td>
<td>SENTINEL MODS</td>
<td>30,885</td>
<td>30,885</td>
<td>30,885</td>
<td>30,885</td>
</tr>
<tr>
<td>74</td>
<td>NIGHT VISION DEVICES</td>
<td>37,019</td>
<td>37,019</td>
<td>37,019</td>
<td>37,019</td>
</tr>
<tr>
<td>75</td>
<td>LONG RANGE ADVANCED SCOUT SURVEILLANCE SYSTEM</td>
<td>80</td>
<td>44,535</td>
<td>80</td>
<td>44,535</td>
</tr>
<tr>
<td></td>
<td>Commander’s Remote Display</td>
<td></td>
<td>[1,600]</td>
<td></td>
<td></td>
</tr>
<tr>
<td>76</td>
<td>LWTI VIDEO RECON SYSTEM (LWVRS)</td>
<td>16</td>
<td>1,339</td>
<td>16</td>
<td>1,339</td>
</tr>
<tr>
<td>77</td>
<td>NIGHT VISION, THERMAL WPN SIGHT</td>
<td>1643</td>
<td>35,134</td>
<td>1643</td>
<td>35,134</td>
</tr>
<tr>
<td>78</td>
<td>COMBAT IDENTIFICATION / AIMING LIGHT</td>
<td>8,503</td>
<td>8,503</td>
<td>8,503</td>
<td>8,503</td>
</tr>
<tr>
<td>79</td>
<td>ARTILLERY ACCURACY EQUIP</td>
<td>10,413</td>
<td>14,913</td>
<td>10,413</td>
<td>10,413</td>
</tr>
<tr>
<td></td>
<td>AN / TMQ 41 Meteorological Measuring System, ARNG</td>
<td></td>
<td>[4,500]</td>
<td></td>
<td></td>
</tr>
<tr>
<td>80</td>
<td>MOD OF IN-SVC EQUIP (MMS)</td>
<td>935</td>
<td>935</td>
<td>935</td>
<td>935</td>
</tr>
<tr>
<td>81</td>
<td>MOD OF IN-SVC EQUIP (MVS)</td>
<td>251</td>
<td>251</td>
<td>251</td>
<td>251</td>
</tr>
</tbody>
</table>
## Title I - Procurement

(Dollars in Thousands)

<table>
<thead>
<tr>
<th>Line</th>
<th>Program</th>
<th>FY 2002 Budget Request</th>
<th>House Authorized</th>
<th>Senate Authorized</th>
<th>Conference Change</th>
<th>Authorized</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Qty</td>
<td>Cost</td>
<td>Qty</td>
<td>Cost</td>
<td>Qty</td>
<td>Cost</td>
</tr>
<tr>
<td>82</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>83</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>84</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>85</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>86</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>87</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>88</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>89</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>90</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>91</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>92</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>93</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>94</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>95</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>96</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>97</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

### Notes

- PORTABLE INDUCTIVE ARTELLERY FUZE SETTER
- MOD OF IN SVC EQUIP (TAC SURV)
- FORCE XXI BATTLE CMD BRIGADE & BELOW (FBCH2)
- LIGHTWEIGHT LASER DESIGNATOR / RANGEFINDER
- COMPUTER BALLISTICS: MORTAR M-30
- MORTAR FIRE CONTROL SYSTEM
- INTEGRATED MET SYS SENSORS (IMETS) - TIARA
  - Elect Equip - Tactical C2 Systems
- TACTICAL OPERATIONS CENTERS
- ADV FIELD ARTILLERY TACT DATA SYS (AFATDS)
- LIGHT WEIGHT TECHNICAL FIRE DIRECTION SYS
- CMNT SVC SUPT CONTROL SYS (CSSCS)
- FAADC2
- FAADC2 MODIFICATIONS
- AIR & MSL DEFENSE PLANNING & CONTROL SYS
- FORWARD ENTRY DEVICE (FED)
- STRIKER COMMAND AND CONTROL SYSTEM
## Title I - Procurement
(Dollars in Thousands)

<table>
<thead>
<tr>
<th>Line No</th>
<th>Program</th>
<th>FY 2002 Budget Request</th>
<th>House Authorized</th>
<th>Senate Authorized</th>
<th>Conference Agreement Change</th>
<th>Authorized</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td>Qty</td>
<td>Cost</td>
<td>Qty</td>
<td>Cost</td>
<td>Qty</td>
</tr>
<tr>
<td>98</td>
<td>LIFE CYCLE SOFTWARE SUPPORT (LCSS)</td>
<td>936</td>
<td>.936</td>
<td>936</td>
<td>936</td>
<td>936</td>
</tr>
<tr>
<td>99</td>
<td>LOGTECH</td>
<td>8,212</td>
<td>8,212</td>
<td>8,212</td>
<td>8,212</td>
<td>8,212</td>
</tr>
<tr>
<td>100</td>
<td>TC AIMS II</td>
<td>25,512</td>
<td>25,512</td>
<td>25,512</td>
<td>25,512</td>
<td>25,512</td>
</tr>
<tr>
<td>101</td>
<td>GUN LAYING AND POS SYS (GLPS)</td>
<td>131</td>
<td>12,079</td>
<td>131</td>
<td>12,079</td>
<td>131</td>
</tr>
<tr>
<td>102</td>
<td>ISYSCON EQUIPMENT</td>
<td>32,448</td>
<td>32,448</td>
<td>32,448</td>
<td>32,448</td>
<td>32,448</td>
</tr>
<tr>
<td>103</td>
<td>MANEUVER CONTROL SYSTEM (MCS)</td>
<td>60,621</td>
<td>60,621</td>
<td>60,621</td>
<td>60,621</td>
<td>60,621</td>
</tr>
<tr>
<td>104</td>
<td>STANIS TACTICAL COMPUTERS (STACOMP)</td>
<td>60,621</td>
<td>60,621</td>
<td>60,621</td>
<td>60,621</td>
<td>60,621</td>
</tr>
<tr>
<td></td>
<td>Transfer from PE 23761A (RDA 160) - Future Finance System</td>
<td>[300]</td>
<td>[300]</td>
<td>[300]</td>
<td>[300]</td>
<td>[300]</td>
</tr>
<tr>
<td>105</td>
<td>STANDARD INTEGRATED CMD POST SYSTEM</td>
<td>45,513</td>
<td>45,513</td>
<td>45,513</td>
<td>45,513</td>
<td>45,513</td>
</tr>
<tr>
<td></td>
<td>Additional Modular Command Post System Tents</td>
<td>[15,000]</td>
<td>[15,000]</td>
<td>[15,000]</td>
<td>[15,000]</td>
<td>[15,000]</td>
</tr>
<tr>
<td></td>
<td>Fleet Equip-Automation</td>
<td>89,319</td>
<td>89,319</td>
<td>89,319</td>
<td>89,319</td>
<td>89,319</td>
</tr>
<tr>
<td>106</td>
<td>ARMY TRAINING MODERNIZATION</td>
<td>26,312</td>
<td>26,312</td>
<td>26,312</td>
<td>26,312</td>
<td>26,312</td>
</tr>
<tr>
<td>107</td>
<td>AUTOMATED DATA PROCESSING EQUIP</td>
<td>146,885</td>
<td>146,885</td>
<td>146,885</td>
<td>146,885</td>
<td>146,885</td>
</tr>
<tr>
<td>108</td>
<td>RESERVE COMPONENT AUTOMATION SYS (RCAS)</td>
<td>89,319</td>
<td>89,319</td>
<td>89,319</td>
<td>89,319</td>
<td>89,319</td>
</tr>
<tr>
<td></td>
<td>Fleet Equip-Audio Visual Sys (A/V)</td>
<td>206</td>
<td>206</td>
<td>206</td>
<td>206</td>
<td>206</td>
</tr>
<tr>
<td>109</td>
<td>SPECIAL INFORMATION OPERATIONS (SIO) (TIARA)</td>
<td>2,481</td>
<td>2,481</td>
<td>2,481</td>
<td>2,481</td>
<td>2,481</td>
</tr>
<tr>
<td>110</td>
<td>AERTS</td>
<td>5,778</td>
<td>5,778</td>
<td>5,778</td>
<td>5,778</td>
<td>5,778</td>
</tr>
<tr>
<td>111</td>
<td>ITEMS LESS THAN $5.0M (A/V)</td>
<td>631</td>
<td>631</td>
<td>631</td>
<td>631</td>
<td>631</td>
</tr>
<tr>
<td>Line No</td>
<td>Program</td>
<td>FY 2002 Budget Request</td>
<td>House Authorized</td>
<td>Senate Authorized</td>
<td>Conference Agreement</td>
<td></td>
</tr>
<tr>
<td>---------</td>
<td>-------------------------------------------------------------------------</td>
<td>------------------------</td>
<td>------------------</td>
<td>-------------------</td>
<td>----------------------</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Qty</td>
<td>Cost</td>
<td>Qty</td>
<td>Cost</td>
<td>Qty</td>
</tr>
<tr>
<td>113</td>
<td>ELECTRIC EQUIPMENT SUPPORT (C-E)</td>
<td>419</td>
<td>419</td>
<td>419</td>
<td>419</td>
<td>419</td>
</tr>
<tr>
<td>114</td>
<td>SMOKE &amp; OBSCURANT FAMILY, SOF (Non-Procurement Item)</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>115</td>
<td>TACTICAL BRIDGING, DRY SUPPORT</td>
<td>25,752</td>
<td>25,752</td>
<td>25,752</td>
<td>25,752</td>
<td></td>
</tr>
<tr>
<td>116</td>
<td>TACTICAL BRIDGE, FLOAT RIBBON</td>
<td>48,181</td>
<td>59,381</td>
<td>48,181</td>
<td>48,181</td>
<td>11,200</td>
</tr>
<tr>
<td></td>
<td>Accelerate fielding of 2 ARNG Multi role Bridge Company</td>
<td>[11,200]</td>
<td></td>
<td>[11,200]</td>
<td></td>
<td></td>
</tr>
<tr>
<td>117</td>
<td>DISPENSER, MINE M139</td>
<td>2,400</td>
<td>2,400</td>
<td>2,400</td>
<td>2,400</td>
<td>2,400</td>
</tr>
<tr>
<td>118</td>
<td>RIFLE STANDARD TELEOPERATING</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>119</td>
<td>GROUND STANDOFF MINE DETECTION SYSTEM (GSMD)</td>
<td>13,272</td>
<td>13,272</td>
<td>13,272</td>
<td>13,272</td>
<td>13,272</td>
</tr>
<tr>
<td>120</td>
<td>WIDE AREA MUNITIONS (REMOTE CONTROL UNIT)</td>
<td>274</td>
<td>3,317</td>
<td>274</td>
<td>3,317</td>
<td>274</td>
</tr>
<tr>
<td>121</td>
<td>EXPLOSIVE ORDNANCE DISPOSAL Eqmt (EOD Eqmt)</td>
<td>11207</td>
<td>4,058</td>
<td>11207</td>
<td>4,058</td>
<td>11207</td>
</tr>
<tr>
<td>Line No</td>
<td>Program</td>
<td>FY 2002 Budget Request</td>
<td>House Authorized</td>
<td>Senate Authorized</td>
<td>Conference Agreement</td>
<td></td>
</tr>
<tr>
<td>--------</td>
<td>----------------------------------------------</td>
<td>------------------------</td>
<td>-----------------</td>
<td>-------------------</td>
<td>------------------------</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Qty</td>
<td>Cost</td>
<td>Qty</td>
<td>Cost</td>
<td>Qty</td>
</tr>
<tr>
<td>122</td>
<td>&lt;$5M, COUNTERMINE EQUIPMENT</td>
<td>156</td>
<td>156</td>
<td>156</td>
<td>156</td>
<td>156</td>
</tr>
<tr>
<td>123</td>
<td>BN COUNTERMINE SIP</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Combat Service Support Equipment</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>124</td>
<td>HEATERS AND ECUPS</td>
<td>5,082</td>
<td>5,082</td>
<td>5,082</td>
<td>5,082</td>
<td>5,082</td>
</tr>
<tr>
<td>125</td>
<td>LAUNDRIES, SHOWERS AND LATRINES</td>
<td>23,232</td>
<td>28,232</td>
<td>23,232</td>
<td>28,232</td>
<td>5,000</td>
</tr>
<tr>
<td></td>
<td>Additional Laundry Advanced Systems</td>
<td></td>
<td></td>
<td>[5,000]</td>
<td></td>
<td></td>
</tr>
<tr>
<td>127</td>
<td>LIGHTWEIGHT MAINTENANCE ENCLOSURE (LME)</td>
<td>276</td>
<td>3,636</td>
<td>276</td>
<td>3,636</td>
<td>276</td>
</tr>
<tr>
<td></td>
<td>Additional LMEs</td>
<td></td>
<td>[15,000]</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>128</td>
<td>FORCE PROVIDER</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>129</td>
<td>FIELD FEEDING AND REFRIGERATION</td>
<td>7,043</td>
<td>7,043</td>
<td>7,043</td>
<td>7,043</td>
<td>7,043</td>
</tr>
<tr>
<td>130</td>
<td>AIR DROP PROGRAM</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>131</td>
<td>CAMOUFLAGE: UCANS</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>132</td>
<td>ITEMS LESS THAN $5.0M (CSS-EQ)</td>
<td>4,001</td>
<td>4,001</td>
<td>4,001</td>
<td>4,001</td>
<td>4,001</td>
</tr>
<tr>
<td></td>
<td>Petroleum Equipment</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>133</td>
<td>FAMILY OF TANK ASSEMBLIES, FABRIC,</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>COLLAPSIBLE</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>134</td>
<td>QUALITY SURVEILLANCE EQUIPMENT</td>
<td>7,694</td>
<td>7,694</td>
<td>7,694</td>
<td>7,694</td>
<td>7,694</td>
</tr>
<tr>
<td>135</td>
<td>DISTRIBUTION SYSTEMS, PETROLEUM &amp; WATER</td>
<td>18,294</td>
<td>18,294</td>
<td>18,294</td>
<td>18,294</td>
<td>18,294</td>
</tr>
</tbody>
</table>
Title I - Procurement

(Dollars in Thousands)

<table>
<thead>
<tr>
<th>Line No</th>
<th>Program</th>
<th>FY 2002 Budget Request</th>
<th>House Authorized</th>
<th>Senate Authorized</th>
<th>Change</th>
<th>Conference Agreement</th>
<th>Authorized</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td>Qty</td>
<td>Cost</td>
<td>Qty</td>
<td>Cost</td>
<td>Qty</td>
<td>Cost</td>
</tr>
<tr>
<td>136</td>
<td>PUMPS, WATER AND FUEL.</td>
<td></td>
<td></td>
<td>35</td>
<td>5,361</td>
<td>35</td>
<td>5,361</td>
</tr>
<tr>
<td>137</td>
<td>ASSAULT HOSELINE SYSTEM</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>138</td>
<td>INLAND PETROLEUM DISTRIBUTION SYSTEM</td>
<td></td>
<td></td>
<td>1,706</td>
<td>1,706</td>
<td>1,706</td>
<td>1,706</td>
</tr>
<tr>
<td>139</td>
<td>ITEMS LESS THAN $5.0M (POL.)</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>WATER Equipment</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>140</td>
<td>WATER PURIFICATION SYSTEM</td>
<td></td>
<td></td>
<td>39,289</td>
<td>39,289</td>
<td>39,289</td>
<td>39,289</td>
</tr>
<tr>
<td>141</td>
<td>ITEMS LESS THAN $5.0M (WATER EQ)</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Medical Equipment</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>142</td>
<td>COMBAT SUPPORT MEDICAL.</td>
<td></td>
<td></td>
<td>16,731</td>
<td>23,731</td>
<td>16,731</td>
<td>16,731</td>
</tr>
<tr>
<td></td>
<td>Rapid IV Pumps</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Temper Tents, USAR</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>143</td>
<td>SHOP EQ CONTACT MAINTENANCE TRK MTD (MYP)</td>
<td></td>
<td></td>
<td>160</td>
<td>9,979</td>
<td>160</td>
<td>9,979</td>
</tr>
<tr>
<td>144</td>
<td>WELDING SHOP, TRAILER MTD</td>
<td></td>
<td></td>
<td>144</td>
<td>6,053</td>
<td>144</td>
<td>6,053</td>
</tr>
<tr>
<td>145</td>
<td>ITEMS LESS THAN $5.0M (MAINT EQ)</td>
<td></td>
<td></td>
<td>2,617</td>
<td>2,617</td>
<td>2,617</td>
<td>2,617</td>
</tr>
<tr>
<td>146</td>
<td>STEAM CLEANER, TRAILER MOUNTED</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Construction Equipment</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>147</td>
<td>SCRAPER, EARTHMOVING, 7 1/2 CU YD</td>
<td></td>
<td></td>
<td>7,230</td>
<td>13,230</td>
<td>7,230</td>
<td>7,230</td>
</tr>
<tr>
<td></td>
<td>Commercial, Self-propelled Elevating Scrapers</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
Title I - Procurement
(Dollars in Thousands)

<table>
<thead>
<tr>
<th>Line No</th>
<th>Program</th>
<th>FY 2002 Budget Request</th>
<th>House Authorized</th>
<th>Senate Authorized</th>
<th>Conference Agreement Change</th>
<th>Authorized</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td>Qty</td>
<td>Cost</td>
<td>Qty</td>
<td>Cost</td>
<td>Qty</td>
</tr>
<tr>
<td>148</td>
<td>DISTR, WATER, SP MIN 2500G SEC/NON-SEC 2000G Module Water Distributors</td>
<td>28</td>
<td>1,006</td>
<td>28</td>
<td>5,006</td>
<td>28</td>
</tr>
<tr>
<td>149</td>
<td>MISSION MODULES - ENGINEERING</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>150</td>
<td>COMPACTOR</td>
<td>50</td>
<td>4,589</td>
<td>50</td>
<td>4,589</td>
<td>50</td>
</tr>
<tr>
<td>151</td>
<td>LOADERS</td>
<td>12,669</td>
<td>12,669</td>
<td>12,669</td>
<td>12,669</td>
<td></td>
</tr>
<tr>
<td>152</td>
<td>HYDRAULIC EXCAVATOR</td>
<td>21</td>
<td>4,589</td>
<td>21</td>
<td>4,589</td>
<td>21</td>
</tr>
<tr>
<td>153</td>
<td>DEPLOYABLES: UNIVERSAL COMBAT EARTH MOVERS - War Reserve &amp; Production Base Support</td>
<td>5,301</td>
<td>21,301</td>
<td>5,301</td>
<td>21,301</td>
<td>16,000</td>
</tr>
<tr>
<td>154</td>
<td>TRACTOR, FULL TRACKED</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>155</td>
<td>CRANES</td>
<td></td>
<td>2,018</td>
<td>2,018</td>
<td>2,018</td>
<td>2,018</td>
</tr>
<tr>
<td>156</td>
<td>CRUSHING/SCREENING PLANT, 150 TPH</td>
<td></td>
<td></td>
<td>22,029</td>
<td>22,029</td>
<td>22,029</td>
</tr>
<tr>
<td>157</td>
<td>PLANT, ASPHALT MIXING</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>158</td>
<td>ARMORED COMBAT EARTHMOVER, M9 ACE</td>
<td></td>
<td>1,107</td>
<td>1,107</td>
<td>1,107</td>
<td>1,107</td>
</tr>
<tr>
<td>159</td>
<td>TACTICAL RAPID EXCAVATION SYSTEM (TRE)</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>160</td>
<td>CONSP EQUIP ESP</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>161</td>
<td>ITEMS LESS THAN $5.0M (CONSP EQUIP)</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>162</td>
<td>SMALL TUG</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>163</td>
<td>FLOATING CRANE, 100-250 TON</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
Title I - Procurement
(Dollars in Thousands)

<table>
<thead>
<tr>
<th>Line</th>
<th>Program</th>
<th>FY 2002 Budget Request</th>
<th>House Authorized</th>
<th>Senate Authorized</th>
<th>Conference Agreement</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td>Qty</td>
<td>Cost</td>
<td>Qty</td>
<td>Cost</td>
</tr>
<tr>
<td>164</td>
<td>Logistic Support Vessel (LVV)</td>
<td>1</td>
<td>25,437</td>
<td>1</td>
<td>25,437</td>
</tr>
<tr>
<td>165</td>
<td>Logistic Support Vessel (LSP)</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>166</td>
<td>Causeway Systems</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>167</td>
<td>Rail Way Car, FLAT, 89 Foot</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>168</td>
<td>Items Less Than $5.0M (Float/Rail) Generators</td>
<td>3,254</td>
<td>3,254</td>
<td>3,254</td>
<td>3,254</td>
</tr>
<tr>
<td>169</td>
<td>Generators and Associated Equip</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>170</td>
<td>Material Handling Equipment</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>171</td>
<td>Rough Terrain Container Handler (RTC)</td>
<td>84</td>
<td>43,353</td>
<td>84</td>
<td>43,353</td>
</tr>
<tr>
<td>172</td>
<td>All Terrain Lifting Army System</td>
<td>145</td>
<td>21,062</td>
<td>145</td>
<td>21,062</td>
</tr>
<tr>
<td>173</td>
<td>MHE Extended Service Program (ESP)</td>
<td>5</td>
<td>1,007</td>
<td>5</td>
<td>1,007</td>
</tr>
<tr>
<td>174</td>
<td>Rough Terrain Container Crane</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>175</td>
<td>Items Less Than $5.0M (MHE)</td>
<td>481</td>
<td>481</td>
<td>481</td>
<td>481</td>
</tr>
<tr>
<td></td>
<td>Training Equipment</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>176</td>
<td>Deploy Force on-force Instrum Range Sys (DFIRST), ARNG</td>
<td>10,307</td>
<td>16,307</td>
<td>10,307</td>
<td>6,000</td>
</tr>
<tr>
<td>Line No</td>
<td>Program</td>
<td>FY 2002 Budget Request</td>
<td>House Authorized</td>
<td>Senate Authorized</td>
<td>Change</td>
</tr>
<tr>
<td>---------</td>
<td>---------</td>
<td>------------------------</td>
<td>------------------</td>
<td>------------------</td>
<td>--------</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Qty</td>
<td>Cost</td>
<td>Qty</td>
<td>Cost</td>
</tr>
<tr>
<td>176</td>
<td>TRAINING DEVICES, NONSYSTEM</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Army Aviation Institutional Training Simulator (AAITS)</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>BEAMHIT, USAR</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Fire Fighter Training System</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>177</td>
<td>CLOSE COMBAT TACTICAL TRAINER</td>
<td>36,783</td>
<td>36,783</td>
<td>36,783</td>
<td>36,783</td>
</tr>
<tr>
<td>178</td>
<td>AVIATION COMBINED ARMS TACTICAL TRAINER (AVCAT)</td>
<td>25,227</td>
<td>25,227</td>
<td>25,227</td>
<td>25,227</td>
</tr>
<tr>
<td>179</td>
<td>FIRE SUPPORT COMBINED ARMS TACTICAL TRAINER</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Test Measure and Dig Equipment (TMD)</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>180</td>
<td>CALIBRATION SETS EQUIPMENT</td>
<td>16,001</td>
<td>16,001</td>
<td>16,001</td>
<td>16,001</td>
</tr>
<tr>
<td>181</td>
<td>INTEGRATED FAMILY OF TEST EQUIPMENT (IFTE)</td>
<td>52,397</td>
<td>52,397</td>
<td>52,397</td>
<td>52,397</td>
</tr>
<tr>
<td>182</td>
<td>TEST EQUIPMENT MODERNIZATION (TEMOD)</td>
<td>15,655</td>
<td>15,655</td>
<td>15,655</td>
<td>15,655</td>
</tr>
<tr>
<td>183</td>
<td>ARMY DIAGNOSTICS IMPROVEMENT PGM (ADIP)</td>
<td>18,344</td>
<td>18,344</td>
<td>18,344</td>
<td>18,344</td>
</tr>
<tr>
<td></td>
<td>Other Support Equipment</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>184</td>
<td>RECONFIGURABLE SIMULATORS</td>
<td>365</td>
<td>365</td>
<td>365</td>
<td>365</td>
</tr>
<tr>
<td>185</td>
<td>PHYSICAL SECURITY SYSTEMS (OPA3)</td>
<td>69,227</td>
<td>69,227</td>
<td>69,227</td>
<td>69,227</td>
</tr>
<tr>
<td>186</td>
<td>BASE LEVEL COMPL. EQUIPMENT</td>
<td>8,696</td>
<td>8,696</td>
<td>8,696</td>
<td>8,696</td>
</tr>
<tr>
<td>187</td>
<td>MODIFICATION OF IN-SVC EQUIPMENT (OPA-3)</td>
<td>32,468</td>
<td>32,468</td>
<td>32,468</td>
<td>32,468</td>
</tr>
</tbody>
</table>
### Title I - Procurement

(Dollars in Thousands)

<table>
<thead>
<tr>
<th>Line No</th>
<th>Program</th>
<th>FY 2002 Budget Request</th>
<th>House Authorized</th>
<th>Senate Authorized</th>
<th>Conference Agreement Change</th>
<th>Authorized</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td>Qty</td>
<td>Cost</td>
<td>Qty</td>
<td>Cost</td>
<td>Qty</td>
</tr>
<tr>
<td>188</td>
<td>PRODUCTION BASE SUPPORT (OTU)</td>
<td>2,545</td>
<td>2,545</td>
<td>2,545</td>
<td>2,545</td>
<td>2,545</td>
</tr>
<tr>
<td>189</td>
<td>SPECIAL EQUIPMENT FOR USER TESTING</td>
<td>16,400</td>
<td>32,400</td>
<td>16,400</td>
<td>12,000</td>
<td>12,000</td>
</tr>
<tr>
<td></td>
<td>XM Target Acquisition Radar-Agile Multi-beam (XM1ARAMB)</td>
<td></td>
<td></td>
<td></td>
<td>[12,000]</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Target Receiver Injection Module Threat Simulator</td>
<td></td>
<td></td>
<td></td>
<td>[4,000]</td>
<td></td>
</tr>
<tr>
<td>190</td>
<td>MA8975</td>
<td>6,057</td>
<td>6,057</td>
<td>6,057</td>
<td>6,057</td>
<td>6,057</td>
</tr>
<tr>
<td>191</td>
<td>CLOSED ACCOUNT ADJUSTMENTS</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Spares and Repair Parts</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>192</td>
<td>INITIAL SPARES - TSV</td>
<td>43,093</td>
<td>43,093</td>
<td>43,093</td>
<td>43,093</td>
<td>43,093</td>
</tr>
<tr>
<td>193</td>
<td>INITIAL SPARES - C&amp;E</td>
<td>971</td>
<td>971</td>
<td>971</td>
<td>971</td>
<td>971</td>
</tr>
<tr>
<td>194</td>
<td>INITIAL SPARES - OTHER SUPPORT EQUIPMENT</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>194a</td>
<td>Management Reform Initiatives</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Total - Other Procurement, Army</td>
<td>3,961,737</td>
<td>4,143,986</td>
<td>4,024,486</td>
<td>82,343</td>
<td>4,044,080</td>
</tr>
</tbody>
</table>
Chemical Agents and Munitions Destruction, Army—Overview

The budget request for fiscal year 2002 included an authorization of $1.153.6 million for Chemical Agents & Munitions Destruction, Army in the Department of Defense.

The Senate bill would authorize $1.153.6 million for Chemical Agents & Munitions Destruction, Defense.

The House amendment would authorize $1.078.6 million for Chemical Agents & Munitions Destruction, Defense.

The conferees recommended an authorization of $1.153.6 million for Chemical Agents & Munitions Destruction, Defense. Unless noted explicitly in the statement of managers, all changes are made without prejudice.
### Title I - Procurement

(Dollars in Thousands)

<table>
<thead>
<tr>
<th>Line No</th>
<th>Program Description</th>
<th>FY 2002 Budget Request</th>
<th>House Authorized</th>
<th>Senate Authorized</th>
<th>Conference Agreement Change</th>
<th>Authorized</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td>Qty</td>
<td>Cost</td>
<td>Qty</td>
<td>Cost</td>
<td>Qty</td>
</tr>
<tr>
<td>1</td>
<td>CHEM DEMILITARIZATION - RDTE</td>
<td>200,379</td>
<td></td>
<td>[-192,879]</td>
<td>[-200,379]</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Transfer to CAMD, D - Comply with 50 USC 1521</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Program reduction</td>
<td></td>
<td>[-7,500]</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>2</td>
<td>CHEM DEMILITARIZATION - PROC</td>
<td>164,158</td>
<td></td>
<td>[-157,158]</td>
<td>[-164,158]</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Transfer to CAMD, D - Comply with 50 USC 1521</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Program reduction</td>
<td></td>
<td>[-7,000]</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>3</td>
<td>CHEM DEMILITARIZATION - O&amp;M</td>
<td>789,020</td>
<td></td>
<td>[-728,520]</td>
<td>[-789,020]</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Transfer to CAMD, D - Comply with 50 USC 1521</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Program reduction</td>
<td></td>
<td>[-60,500]</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Total - Chemical Agents &amp; Munitions Destruction, Army</strong></td>
<td></td>
<td>1,153,557</td>
<td></td>
<td></td>
<td></td>
<td>(1,153,557)</td>
</tr>
</tbody>
</table>
The budget request for fiscal year 2002 included an authorization of $8,252.5 million for Aircraft Procurement, Navy in the Department of Defense.

The Senate bill would authorize $8,169.0 million.

The House amendment would authorize $8,337.2 million.

The conferees recommended an authorization of $8,323.1 million. Unless noted explicitly in the statement of managers, all changes are made without prejudice.
### Title I - Procurement

(Dollars in Thousands)

<table>
<thead>
<tr>
<th>Line No.</th>
<th>Program</th>
<th>FY 2002 Budget Request</th>
<th>House Authorized</th>
<th>Senate Authorized</th>
<th>Conference Agreement Change</th>
<th>House Authorized</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td>Qty</td>
<td>Cost</td>
<td>Qty</td>
<td>Cost</td>
<td>Qty</td>
</tr>
<tr>
<td>1</td>
<td>AV-8B (V/STOL) HARRIER (MYP)</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>2</td>
<td>AV-8B (V/STOL) HARRIER (MYP) (AP-CY)</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>3</td>
<td>F/A-18E/F (FIGHTER) HORNET (MYP) Accelerate IDECM Purchases</td>
<td>48</td>
<td>3,067,522</td>
<td>48</td>
<td>3,067,522</td>
<td>48</td>
</tr>
<tr>
<td>4</td>
<td>F/A-18E/F (FIGHTER) HORNET (MYP) (AP-CY)</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>5</td>
<td>V-22 (MEDIUM LIFT)</td>
<td>12</td>
<td>1,009,881</td>
<td>12</td>
<td>1,009,881</td>
<td>9</td>
</tr>
<tr>
<td>6</td>
<td>V-22 (MEDIUM LIFT) (AP-CY)</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>7</td>
<td>AH-1W (HELICOPTER) SEA COBRA</td>
<td>1,383</td>
<td>1,383</td>
<td>1,383</td>
<td>1,383</td>
<td>1,383</td>
</tr>
<tr>
<td>8</td>
<td>SH-60R</td>
<td>25,064</td>
<td>25,064</td>
<td>25,064</td>
<td>25,064</td>
<td>25,064</td>
</tr>
<tr>
<td>9</td>
<td>E-2C (EARLY WARNING) HAWKEYE (MYP)</td>
<td>5</td>
<td>242,746</td>
<td>5</td>
<td>242,746</td>
<td>5</td>
</tr>
<tr>
<td>10</td>
<td>E-2C (EARLY WARNING) HAWKEYE (MYP) (AP-CY)</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Airlift Aircraft</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>11</td>
<td>CH-53D (MYP)</td>
<td>13</td>
<td>181,957</td>
<td>13</td>
<td>181,957</td>
<td>13</td>
</tr>
<tr>
<td>12</td>
<td>CH-53D (MYP) (AP-CY)</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>13</td>
<td>HC-135</td>
<td>64,212</td>
<td>64,212</td>
<td>64,212</td>
<td>64,212</td>
<td>64,212</td>
</tr>
<tr>
<td>14</td>
<td>C-40A</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>15</td>
<td>C-37</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
### Title I - Procurement

(Dollars in Thousands)

<table>
<thead>
<tr>
<th>Line No</th>
<th>Program</th>
<th>FY 2002 Budget Request</th>
<th>House Authorized</th>
<th>Senate Authorized</th>
<th>Conference Agreement Change</th>
<th>Authorized</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td>Qty</td>
<td>Cost</td>
<td>Qty</td>
<td>Cost</td>
<td>Qty</td>
</tr>
<tr>
<td>16</td>
<td>Trainer Aircraft</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>16</td>
<td>T-45TS (TRAINER) GOSHAWK</td>
<td>6</td>
<td>179,331</td>
<td>6</td>
<td>192,331</td>
<td>6</td>
</tr>
<tr>
<td></td>
<td>Operational Flight Trainers</td>
<td></td>
<td>[13,000]</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>17</td>
<td>T-45TS (TRAINER) GOSHAWK (AP-CY)</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>18</td>
<td>JPATS</td>
<td></td>
<td></td>
<td>10</td>
<td>44,600</td>
<td>7</td>
</tr>
<tr>
<td>19</td>
<td>Other Aircraft</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>19</td>
<td>KC-130J</td>
<td>4</td>
<td>299,047</td>
<td>4</td>
<td>299,047</td>
<td>4</td>
</tr>
<tr>
<td></td>
<td>Modification of Aircraft</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>20</td>
<td>EA-6 SERIES</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Band 9 / 10 Transmitters</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Wing Center Sections</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>21</td>
<td>AV-8 SERIES</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Lightning II Targeting Pods</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>22</td>
<td>F-14 SERIES</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>23</td>
<td>ADVERSARY</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>24</td>
<td>F-18 SERIES</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>25</td>
<td>H-46 SERIES</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>26</td>
<td>AH-1W SERIES</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>27</td>
<td>H-53 SERIES</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
### Title 1 - Procurement

(Dollars in Thousands)

<table>
<thead>
<tr>
<th>Line No</th>
<th>Program</th>
<th>FY 2002 Budget Request</th>
<th>House Authorized</th>
<th>Senate Authorized</th>
<th>Conference Agreement Change</th>
<th>Authorized</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td>Qty</td>
<td>Cost</td>
<td>Qty</td>
<td>Cost</td>
<td>Qty</td>
</tr>
<tr>
<td>28</td>
<td>SH-60 SERIES</td>
<td>1,735</td>
<td>15,935</td>
<td>1,735</td>
<td>3,000</td>
<td>4,735</td>
</tr>
<tr>
<td></td>
<td>AQS-13F Sonar Upgrades</td>
<td></td>
<td>[14,000]</td>
<td></td>
<td>[3,000]</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Advanced Helicopter Emergency Egress Lighting System</td>
<td></td>
<td>[3,200]</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>29</td>
<td>HH-1 SERIES</td>
<td>1,149</td>
<td>1,149</td>
<td>1,149</td>
<td></td>
<td>1,149</td>
</tr>
<tr>
<td>30</td>
<td>HH-3 SERIES</td>
<td>4,191</td>
<td>4,191</td>
<td>4,191</td>
<td></td>
<td>4,191</td>
</tr>
<tr>
<td>31</td>
<td>FP-3 SERIES</td>
<td>123,747</td>
<td>123,747</td>
<td>123,747</td>
<td></td>
<td>123,747</td>
</tr>
<tr>
<td>32</td>
<td>P-3 SERIES</td>
<td>113,191</td>
<td>113,191</td>
<td>209,191</td>
<td></td>
<td>15,000</td>
</tr>
<tr>
<td></td>
<td>AIP Upgrades</td>
<td></td>
<td>[60,000]</td>
<td></td>
<td>[15,000]</td>
<td></td>
</tr>
<tr>
<td></td>
<td>BMUP Upgrades</td>
<td></td>
<td>[27,000]</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>CNS / AIM Upgrades</td>
<td></td>
<td>[9,000]</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>33</td>
<td>S-3 SERIES</td>
<td>43,242</td>
<td>43,242</td>
<td>43,242</td>
<td></td>
<td>43,242</td>
</tr>
<tr>
<td>34</td>
<td>E-2 SERIES</td>
<td>14,636</td>
<td>39,636</td>
<td>14,636</td>
<td></td>
<td>25,000</td>
</tr>
<tr>
<td></td>
<td>Mission Computer Upgrade A / C Conversion to Hawkeye 2000</td>
<td></td>
<td>[25,000]</td>
<td></td>
<td>[25,000]</td>
<td></td>
</tr>
<tr>
<td>35</td>
<td>TRAINER A/C SERIES</td>
<td>5,155</td>
<td>5,155</td>
<td>5,155</td>
<td></td>
<td>5,155</td>
</tr>
<tr>
<td>36</td>
<td>C-2A</td>
<td>27,369</td>
<td>24,369</td>
<td>27,369</td>
<td></td>
<td>27,369</td>
</tr>
<tr>
<td></td>
<td>Component installation cost growth</td>
<td></td>
<td>[-3,000]</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>37</td>
<td>C-130 SERIES</td>
<td>5,407</td>
<td>5,407</td>
<td>5,407</td>
<td></td>
<td>5,407</td>
</tr>
<tr>
<td>38</td>
<td>FEWSG</td>
<td>643</td>
<td>643</td>
<td>643</td>
<td></td>
<td>643</td>
</tr>
</tbody>
</table>
### Title I - Procurement

(Dollars in Thousands)

<table>
<thead>
<tr>
<th>Line No</th>
<th>Program</th>
<th>FY 2002 Budget Request</th>
<th>House Authorized</th>
<th>Senate Authorized</th>
<th>Conference Agreement Change</th>
<th>Authorized</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td>Qty</td>
<td>Cost</td>
<td>Qty</td>
<td>Cost</td>
<td>Qty</td>
</tr>
<tr>
<td>39</td>
<td>CARGO/TRANSPORT A/C SERIES</td>
<td>4,224</td>
<td>4,224</td>
<td>4,224</td>
<td>4,224</td>
<td></td>
</tr>
<tr>
<td>40</td>
<td>E-6 SERIES</td>
<td>74,847</td>
<td>74,847</td>
<td>74,847</td>
<td>74,847</td>
<td></td>
</tr>
<tr>
<td>41</td>
<td>EXECUTIVE HELICOPTERS SERIES</td>
<td>16,183</td>
<td>16,183</td>
<td>16,183</td>
<td>16,183</td>
<td></td>
</tr>
<tr>
<td>42</td>
<td>SPECIAL PROJECT AIRCRAFT</td>
<td>3,088</td>
<td>3,088</td>
<td>3,088</td>
<td>3,088</td>
<td></td>
</tr>
<tr>
<td>43</td>
<td>T-45 SERIES</td>
<td>12,778</td>
<td>12,778</td>
<td>12,778</td>
<td>12,778</td>
<td></td>
</tr>
<tr>
<td>44</td>
<td>POWER PLANT CHANGES</td>
<td>13,083</td>
<td>13,083</td>
<td>13,083</td>
<td>13,083</td>
<td></td>
</tr>
<tr>
<td>45</td>
<td>COMMON ECM EQUIPMENT</td>
<td>33,315</td>
<td>31,315</td>
<td>33,315</td>
<td>33,315</td>
<td></td>
</tr>
<tr>
<td></td>
<td>AIR R67 support costs</td>
<td>-2,000</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>46</td>
<td>COMMON AVIONICS CHANGES</td>
<td>65,147</td>
<td>65,147</td>
<td>65,147</td>
<td>65,147</td>
<td></td>
</tr>
<tr>
<td>47</td>
<td>V-22 (TILT/ROTOR ACFT) OSPREY</td>
<td>35,000</td>
<td>35,000</td>
<td>35,000</td>
<td>35,000</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Aircraft Spares and Repair Parts</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>48</td>
<td>SPARES AND REPAIR PARTS</td>
<td>1,420,252</td>
<td>1,420,252</td>
<td>1,321,252</td>
<td>(20,000)</td>
<td>1,400,252</td>
</tr>
<tr>
<td></td>
<td>Aircraft Support Equipment and Facilities</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>49</td>
<td>COMMON GROUND EQUIPMENT</td>
<td>332,926</td>
<td>332,926</td>
<td>332,926</td>
<td>332,926</td>
<td></td>
</tr>
<tr>
<td>50</td>
<td>AIRCRAFT INDUSTRIAL FACILITIES</td>
<td>18,219</td>
<td>22,719</td>
<td>18,219</td>
<td>4,500</td>
<td>22,719</td>
</tr>
<tr>
<td></td>
<td>Calibration test equipment</td>
<td>[4,500]</td>
<td></td>
<td>[4,500]</td>
<td></td>
<td></td>
</tr>
<tr>
<td>51</td>
<td>WAR CONSUMABLES</td>
<td>12,585</td>
<td>12,585</td>
<td>12,585</td>
<td>12,585</td>
<td></td>
</tr>
<tr>
<td>52</td>
<td>OTHER PRODUCTION CHARGES</td>
<td>27,637</td>
<td>30,637</td>
<td>27,637</td>
<td>3,000</td>
<td>30,637</td>
</tr>
<tr>
<td></td>
<td>TARPS-CD</td>
<td>[3,000]</td>
<td></td>
<td>[3,000]</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
Title I - Procurement
(Dollars in Thousands)

<table>
<thead>
<tr>
<th>Line</th>
<th>Program</th>
<th>FY 2002 Budget Request</th>
<th>House Authorized</th>
<th>Senate Authorized</th>
<th>Conference Agreement</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td>Qty</td>
<td>Cost</td>
<td>Qty</td>
<td>Cost</td>
</tr>
<tr>
<td>53</td>
<td>SPECIAL SUPPORT EQUIPMENT</td>
<td>110,897</td>
<td>110,897</td>
<td>110,897</td>
<td>110,897</td>
</tr>
<tr>
<td>54</td>
<td>FIRST DESTINATION TRANSPORTATION</td>
<td>1,568</td>
<td>1,568</td>
<td>1,568</td>
<td>1,568</td>
</tr>
<tr>
<td>55</td>
<td>CANCELED ACCOUNT ADJUSTMENTS (M)</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>55a</td>
<td>General Reduction</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Transfer to AFAF 12 - Fix USAF JPATS Pricing Problem</td>
<td>(3,400)</td>
<td>(3,400)</td>
<td>(3,400)</td>
<td>(3,400)</td>
</tr>
<tr>
<td>55b</td>
<td>Management Reform Initiatives</td>
<td>[-3,400]</td>
<td>[-3,400]</td>
<td>[12,496]</td>
<td>[12,496]</td>
</tr>
<tr>
<td></td>
<td>Total - Aircraft Procurement, Navy</td>
<td>8,252,543</td>
<td>8,337,243</td>
<td>8,169,043</td>
<td>70,604</td>
</tr>
</tbody>
</table>
Weapons Procurement, Navy—Overview

The budget request for fiscal year 2002 included an authorization of $1,433.5 million for Weapons Procurement, Navy in the Department of Defense.

The Senate bill would authorize $1,503.5 million.

The House amendment would authorize $1,476.7 million.

The conferees recommended an authorization of $1,484.3 million. Unless noted explicitly in the statement of managers, all changes are made without prejudice.
## Title I - Procurement

(Dollars in Thousands)

<table>
<thead>
<tr>
<th>Line</th>
<th>Program</th>
<th>FY 2002</th>
<th>House</th>
<th>Senate</th>
<th>Conference Agreement</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td>Budget Request</td>
<td></td>
<td>Authorized</td>
<td>Authorized</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Qty</td>
<td>Cost</td>
<td>Qty</td>
<td>Cost</td>
</tr>
<tr>
<td></td>
<td>Weapons Procurement, Navy</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>1</td>
<td>TRIDENT II</td>
<td>12</td>
<td>559,042</td>
<td>12</td>
<td>559,042</td>
</tr>
<tr>
<td>2</td>
<td>TRIDENT II (AP-CY)</td>
<td></td>
<td>8,727</td>
<td>8,727</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Support Equipment and Facilities</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>3</td>
<td>MISSILE INDUSTRIAL FACILITIES</td>
<td>1,275</td>
<td>1,275</td>
<td></td>
<td>1,275</td>
</tr>
<tr>
<td></td>
<td>Theater Ballistic Missile Defense</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>4</td>
<td>NAVY AREA MISSILE DEFENSE: Transfer to PDW, BMDO</td>
<td>6,983</td>
<td></td>
<td>6,983</td>
<td>[6,983]</td>
</tr>
<tr>
<td></td>
<td>Other Missiles</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>5</td>
<td>TOMAHAWK</td>
<td>34</td>
<td>50,101</td>
<td>34</td>
<td>70,101</td>
</tr>
<tr>
<td></td>
<td>Tooling &amp; Test Equipment</td>
<td></td>
<td>[20,000]</td>
<td></td>
<td></td>
</tr>
<tr>
<td>6</td>
<td>ESSM</td>
<td>38</td>
<td>45,017</td>
<td>38</td>
<td>45,017</td>
</tr>
<tr>
<td></td>
<td>Tactical Missiles</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>7</td>
<td>AMRAAM</td>
<td>57</td>
<td>40,028</td>
<td>57</td>
<td>40,028</td>
</tr>
<tr>
<td>8</td>
<td>SIDEWINDER</td>
<td>105</td>
<td>27,310</td>
<td>105</td>
<td>27,310</td>
</tr>
<tr>
<td>9</td>
<td>JSOW</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>10</td>
<td>SLAM-ER</td>
<td>30</td>
<td>26,174</td>
<td>30</td>
<td>26,174</td>
</tr>
<tr>
<td>11</td>
<td>STANDARD MISSILE</td>
<td>91</td>
<td>195,404</td>
<td>91</td>
<td>195,404</td>
</tr>
<tr>
<td>Line No.</td>
<td>Program</td>
<td>FY 2002 Budget Request</td>
<td>House Authorized</td>
<td>Senate Authorized</td>
<td>Conference Agreement Change</td>
</tr>
<tr>
<td>---------</td>
<td>--------------------------------</td>
<td>------------------------</td>
<td>------------------</td>
<td>-------------------</td>
<td>-----------------------------</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Qty</td>
<td>Cost</td>
<td>Qty</td>
<td>Cost</td>
</tr>
<tr>
<td>12</td>
<td>RAM</td>
<td>90</td>
<td>43,024</td>
<td>90</td>
<td>43,024</td>
</tr>
<tr>
<td>13</td>
<td>HELIFIRE</td>
<td></td>
<td>25,000</td>
<td>250</td>
<td>20,000</td>
</tr>
<tr>
<td>14</td>
<td>PENGUIN</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>16</td>
<td>DRONES AND DECOYS</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Modification of Missiles</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>18</td>
<td>SIDEWINDER MODS</td>
<td>802</td>
<td>802</td>
<td>802</td>
<td>802</td>
</tr>
<tr>
<td>19</td>
<td>HARM MODS</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Support Equipment and Facilities</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>21</td>
<td>WEAPONS INDUSTRIAL FACILITIES</td>
<td>17,247</td>
<td>17,247</td>
<td>37,247</td>
<td>15,000</td>
</tr>
<tr>
<td></td>
<td>Allegany Ballistics Lab Facilities Restoration</td>
<td></td>
<td>20,000</td>
<td>[15,000]</td>
<td>[15,000]</td>
</tr>
<tr>
<td>22</td>
<td>FLEET SATELLITE COMM (MYP) (SPACE)</td>
<td>77,840</td>
<td>77,840</td>
<td>77,840</td>
<td>77,840</td>
</tr>
<tr>
<td>23</td>
<td>FLEET SATELLITE COMM FOLLOW-ON</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Ordnance Support Equipment</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>24</td>
<td>ORDNANCE SUPPORT EQUIPMENT</td>
<td>4,210</td>
<td>4,210</td>
<td>4,210</td>
<td>4,210</td>
</tr>
<tr>
<td></td>
<td>Torpedoes and Related Equipment</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>25</td>
<td>ASW TARGETS</td>
<td>15,335</td>
<td>15,335</td>
<td>15,335</td>
<td>15,335</td>
</tr>
</tbody>
</table>
### Title I - Procurement

(Dollars in Thousands)

<table>
<thead>
<tr>
<th>Line No</th>
<th>Program</th>
<th>FY 2002 Budget Request Qty</th>
<th>FY 2002 Budget Request Cost</th>
<th>House Authorized Qty</th>
<th>House Authorized Cost</th>
<th>Senate Authorized Qty</th>
<th>Senate Authorized Cost</th>
<th>Conference Agreement Change Qty</th>
<th>Conference Agreement Change Cost</th>
<th>Conference Agreement Authorized Qty</th>
<th>Conference Agreement Authorized Cost</th>
</tr>
</thead>
<tbody>
<tr>
<td>26</td>
<td>Mod of Torpedoes and Related Equipment</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>27</td>
<td>MK-46 TORPEDO MODS</td>
<td>7,444</td>
<td>7,444</td>
<td>7,444</td>
<td>7,444</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>28</td>
<td>MK-48 TORPEDO ADACAP MODS</td>
<td>42,386</td>
<td>42,386</td>
<td>42,386</td>
<td>42,386</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>29</td>
<td>QUICKSTRIKE MINE</td>
<td>3,899</td>
<td>3,899</td>
<td>3,899</td>
<td>3,899</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>29</td>
<td>Support Equipment</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>30</td>
<td>TORPEDO SUPPORT EQUIPMENT</td>
<td>30,025</td>
<td>30,025</td>
<td>30,025</td>
<td>30,025</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>30</td>
<td>ASW RANGE SUPPORT</td>
<td>14,861</td>
<td>14,861</td>
<td>14,861</td>
<td>14,861</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>31</td>
<td>Destination Transportation</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>31</td>
<td>FIRST DESTINATION TRANSPORTATION</td>
<td>2,802</td>
<td>2,802</td>
<td>2,802</td>
<td>2,802</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>32</td>
<td>Other Weapons</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>32</td>
<td>GUNS AND GUN MOUNTS</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>33</td>
<td>SMALL ARMS AND WEAPONS</td>
<td>910</td>
<td>6,110</td>
<td>910</td>
<td>910</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>33</td>
<td>MK 46 Mod 0 Machine Gun</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>34</td>
<td>Modification of Guns and Gun Mounds</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>35</td>
<td>CIWS MODS</td>
<td>40,503</td>
<td>40,503</td>
<td>55,503</td>
<td>5,000</td>
<td>45,503</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>35</td>
<td>Block 1B modifications</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>36</td>
<td>5/54 GUN MOUNT MODS</td>
<td>5,748</td>
<td>5,748</td>
<td>20,748</td>
<td>5,000</td>
<td>10,748</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>36</td>
<td>5'/54 for Cruiser Conversion and other mods</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
### Title I - Procurement

(Dollars in Thousands)

<table>
<thead>
<tr>
<th>Line No</th>
<th>Program</th>
<th>FY 2002 Budget Request</th>
<th>House Authorized</th>
<th>Senate Authorized</th>
<th>Conference Agreement</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Qty</td>
<td>Cost</td>
<td>Qty</td>
<td>Cost</td>
<td>Qty</td>
</tr>
<tr>
<td>37</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>38</td>
<td>PIONEER</td>
<td>Other</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>39</td>
<td>CANCELED ACCOUNT ADJUSTMENTS</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>40</td>
<td>CANCELED ACCOUNT ADJUSTMENTS</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>41</td>
<td>PRIOR YEAR DEFICIENCIES</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>42</td>
<td>CANCELED ACCOUNT ADJ (88)</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>43</td>
<td>CANCELED ACCOUNT ADJ (89)</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Spares and Repair Parts</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>44</td>
<td>SPARES AND REPAIR PARTS</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>44a</td>
<td>Management Reform Initiatives</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Total - Weapons Procurement, Navy</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>1,433,475</td>
<td>1,476,692</td>
<td>1,503,475</td>
<td>50,846</td>
<td>1,484,321</td>
</tr>
</tbody>
</table>
Procurement of Ammunition, Navy and Marine Corps—Overview

The budget request for fiscal year 2002 included an authorization of $457.1 million for Procurement of Ammunition, Navy and Marine Corps in the Department of Defense.

The Senate bill would authorize $476.1 million.

The House amendment would authorize $463.6 million.

The conferees recommended an authorization of $466.9 million. Unless noted explicitly in the statement of managers, all changes are made without prejudice.
**Title 1 - Procurement**

(Dollars in Thousands)

<table>
<thead>
<tr>
<th>Line No</th>
<th>Program</th>
<th>FY 2002</th>
<th>House Authorized</th>
<th>Senate Authorized</th>
<th>Change</th>
<th>Conference Agreement</th>
<th>Authorized</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td>Budget Request</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Qty</td>
<td>Cost</td>
<td>Qty</td>
<td>Cost</td>
<td>Qty</td>
<td>Cost</td>
</tr>
<tr>
<td>1</td>
<td>Procurement of Ammunition, Navy &amp; Marine Corps</td>
<td>65,155</td>
<td>65,155</td>
<td>65,155</td>
<td></td>
<td>65,155</td>
<td>65,155</td>
</tr>
<tr>
<td>2</td>
<td>General Purpose Bombs</td>
<td>1,138</td>
<td>21,138</td>
<td>21,138</td>
<td></td>
<td>21,138</td>
<td>21,138</td>
</tr>
<tr>
<td>3</td>
<td>Canceled Account Adjustments</td>
<td>15,019</td>
<td>15,019</td>
<td>15,019</td>
<td></td>
<td>15,019</td>
<td>15,019</td>
</tr>
<tr>
<td>4</td>
<td>2.75 Inch Rockets</td>
<td>26,697</td>
<td>26,697</td>
<td>26,697</td>
<td></td>
<td>26,697</td>
<td>26,697</td>
</tr>
<tr>
<td>5</td>
<td>Aircraft Escape Rockets</td>
<td>10,784</td>
<td>10,784</td>
<td>10,784</td>
<td></td>
<td>10,784</td>
<td>10,784</td>
</tr>
<tr>
<td>6</td>
<td>Machine Gun Ammunition</td>
<td>36,403</td>
<td>42,903</td>
<td>36,403</td>
<td></td>
<td>6,500</td>
<td>42,903</td>
</tr>
<tr>
<td>7</td>
<td>Additional KJU-52</td>
<td>4,771</td>
<td>4,771</td>
<td>4,771</td>
<td></td>
<td>4,771</td>
<td>4,771</td>
</tr>
<tr>
<td>8</td>
<td>5 Inch/54 Gun Ammunition</td>
<td>12,009</td>
<td>12,009</td>
<td>12,009</td>
<td></td>
<td>12,009</td>
<td>12,009</td>
</tr>
<tr>
<td>9</td>
<td>Extended Range Guided Munitions (ERGM)</td>
<td>5,151</td>
<td>5,151</td>
<td>5,151</td>
<td></td>
<td>5,151</td>
<td>5,151</td>
</tr>
<tr>
<td>10</td>
<td>76MM Gun Ammunition</td>
<td>990</td>
<td>990</td>
<td>990</td>
<td></td>
<td>990</td>
<td>990</td>
</tr>
<tr>
<td>11</td>
<td>Other ship Gun Ammunition</td>
<td>7,318</td>
<td>7,318</td>
<td>7,318</td>
<td></td>
<td>7,318</td>
<td>7,318</td>
</tr>
<tr>
<td>12</td>
<td>Small Arms &amp; Landing Party Ammo</td>
<td>8,878</td>
<td>8,878</td>
<td>8,878</td>
<td></td>
<td>8,878</td>
<td>8,878</td>
</tr>
<tr>
<td>13</td>
<td>Pyrotechnic and Demolition</td>
<td>8,439</td>
<td>8,439</td>
<td>8,439</td>
<td></td>
<td>8,439</td>
<td>8,439</td>
</tr>
<tr>
<td>Line Nu</td>
<td>Program</td>
<td>FY 2002 Budget Request</td>
<td>House Authorized</td>
<td>Senate Authorized</td>
<td>Conference Agreement</td>
<td></td>
<td></td>
</tr>
<tr>
<td>---------</td>
<td>------------------------------------------------</td>
<td>------------------------</td>
<td>------------------</td>
<td>-------------------</td>
<td>----------------------</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Qty</td>
<td>Cost</td>
<td>Qty</td>
<td>Cost</td>
<td>Qty</td>
<td>Cost</td>
</tr>
<tr>
<td>18</td>
<td>MINE NEUTRALIZATION DEVICES</td>
<td>4,985</td>
<td>4,985</td>
<td>4,985</td>
<td>4,985</td>
<td>4,985</td>
<td>4,985</td>
</tr>
<tr>
<td>19</td>
<td>AMMUNITION LESS THAN $5 MILLION</td>
<td>1,343</td>
<td>1,343</td>
<td>1,343</td>
<td>1,343</td>
<td>1,343</td>
<td>1,343</td>
</tr>
<tr>
<td>20</td>
<td>CAWCF CLOSURE COSTS</td>
<td>6,993</td>
<td>6,993</td>
<td>6,993</td>
<td>6,993</td>
<td>6,993</td>
<td>6,993</td>
</tr>
<tr>
<td></td>
<td>MARINE CORPS AMMUNITION</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>21</td>
<td>5.56 MM, ALL TYPES</td>
<td>9,402</td>
<td>9,402</td>
<td>9,402</td>
<td>9,402</td>
<td>9,402</td>
<td>9,402</td>
</tr>
<tr>
<td>23</td>
<td>LINEAR CHARGES, ALL TYPES</td>
<td>18,957</td>
<td>18,957</td>
<td>18,957</td>
<td>18,957</td>
<td>18,957</td>
<td>18,957</td>
</tr>
<tr>
<td>24</td>
<td>.50 CALIBER</td>
<td>6,225</td>
<td>6,225</td>
<td>6,225</td>
<td>6,225</td>
<td>6,225</td>
<td>6,225</td>
</tr>
<tr>
<td>25</td>
<td>40 MM, ALL TYPES</td>
<td>5,857</td>
<td>5,857</td>
<td>5,857</td>
<td>5,857</td>
<td>5,857</td>
<td>5,857</td>
</tr>
<tr>
<td>26</td>
<td>60MM, ALL TYPES</td>
<td>2,699</td>
<td>2,699</td>
<td>2,699</td>
<td>2,699</td>
<td>2,699</td>
<td>2,699</td>
</tr>
<tr>
<td>27</td>
<td>81MM, ALL TYPES</td>
<td>6,669</td>
<td>6,669</td>
<td>6,669</td>
<td>6,669</td>
<td>6,669</td>
<td>6,669</td>
</tr>
<tr>
<td>28</td>
<td>120MM, ALL TYPES</td>
<td>7,639</td>
<td>7,639</td>
<td>7,639</td>
<td>7,639</td>
<td>7,639</td>
<td>7,639</td>
</tr>
<tr>
<td>29</td>
<td>CTG 25MM, ALL TYPES</td>
<td>6,031</td>
<td>6,031</td>
<td>6,031</td>
<td>6,031</td>
<td>6,031</td>
<td>6,031</td>
</tr>
<tr>
<td>30</td>
<td>9 MM, ALL TYPES</td>
<td>2,832</td>
<td>2,832</td>
<td>2,832</td>
<td>2,832</td>
<td>2,832</td>
<td>2,832</td>
</tr>
<tr>
<td>31</td>
<td>GRENADES, ALL TYPES</td>
<td>10,533</td>
<td>10,533</td>
<td>10,533</td>
<td>10,533</td>
<td>10,533</td>
<td>10,533</td>
</tr>
<tr>
<td>32</td>
<td>STINGER SLEEP</td>
<td>7,330</td>
<td>7,330</td>
<td>7,330</td>
<td>7,330</td>
<td>7,330</td>
<td>7,330</td>
</tr>
<tr>
<td>33</td>
<td>ROCKETS, ALL TYPES</td>
<td>4,794</td>
<td>4,794</td>
<td>4,794</td>
<td>4,794</td>
<td>4,794</td>
<td>4,794</td>
</tr>
<tr>
<td>34</td>
<td>ARTILLERY, ALL TYPES</td>
<td>24,488</td>
<td>24,488</td>
<td>34,488</td>
<td>4,000</td>
<td>28,488</td>
<td>4,000</td>
</tr>
<tr>
<td></td>
<td>155mm M795 HE</td>
<td></td>
<td></td>
<td></td>
<td>[10,000]</td>
<td></td>
<td></td>
</tr>
<tr>
<td>35</td>
<td>DEMOLITION MUNITIONS, ALL TYPES</td>
<td>2,925</td>
<td>2,925</td>
<td>2,925</td>
<td>2,925</td>
<td>2,925</td>
<td>2,925</td>
</tr>
</tbody>
</table>
### Title I - Procurement

(Dollars in Thousands)

<table>
<thead>
<tr>
<th>Line No</th>
<th>Program</th>
<th>FY 2002</th>
<th>House</th>
<th>Senate</th>
<th>Conference Agreement</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Budget Request</td>
<td>Authorized</td>
<td>Authorized</td>
<td>Authorized</td>
<td>Change</td>
</tr>
<tr>
<td></td>
<td>Qty</td>
<td>Cost</td>
<td>Qty</td>
<td>Cost</td>
<td>Qty</td>
</tr>
<tr>
<td>36</td>
<td>FUZE, ALL TYPES</td>
<td>4,461</td>
<td>4,461</td>
<td>4,461</td>
<td>4,461</td>
</tr>
<tr>
<td>37</td>
<td>NON LETHALS</td>
<td>7,019</td>
<td>7,019</td>
<td>7,019</td>
<td>7,019</td>
</tr>
<tr>
<td>38</td>
<td>AMMO MODERNIZATION</td>
<td>1,014</td>
<td>1,014</td>
<td>1,014</td>
<td>1,014</td>
</tr>
<tr>
<td>39</td>
<td>ITEMS LESS THAN $5 MILLION</td>
<td>7,200</td>
<td>7,200</td>
<td>7,200</td>
<td>9,000</td>
</tr>
<tr>
<td>40a</td>
<td>Undistributed</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>40b</td>
<td>Management Reform Initiatives</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**Total - Procurement of Ammunition, Navy & Marine Corps**
457,099 463,599 476,099 9,808 466,907
Shipbuilding and Conversion, Navy—Overview

The budget request for fiscal year 2002 included an authorization of $9,344.1 million for Shipbuilding and Conversion, Navy in the Department of Defense.

The Senate bill would authorize $9,522.1 million.

The House amendment would authorize $9,378.2 million.

The conferees recommended an authorization of $9,371.0 million. Unless noted explicitly in the statement of managers, all changes are made without prejudice.
### Title I - Procurement

(Dollars in Thousands)

<table>
<thead>
<tr>
<th>Line No</th>
<th>Program</th>
<th>FY 2002 Budget Request</th>
<th>House Authorized</th>
<th>Senate Authorized</th>
<th>Conference Agreement</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td>Qty</td>
<td>Cost</td>
<td>Qty</td>
<td>Cost</td>
</tr>
<tr>
<td>1</td>
<td>CARRIER REPLACEMENT PROGRAM</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>2</td>
<td>CARRIER REPLACEMENT PROGRAM (AP-CY)</td>
<td>138,890</td>
<td>138,890</td>
<td>138,890</td>
<td></td>
</tr>
<tr>
<td>3</td>
<td>SSGN (AP-CY)</td>
<td>86,440</td>
<td>137,440</td>
<td>264,440</td>
<td>51,000</td>
</tr>
<tr>
<td></td>
<td>Four boat SSGN program</td>
<td></td>
<td>[51,000]</td>
<td>[178,000]</td>
<td>[51,000]</td>
</tr>
<tr>
<td>4</td>
<td>VIRGINIA CLASS SUBMARINE</td>
<td>1,608,914</td>
<td>1,608,914</td>
<td>1,608,914</td>
<td>1,608,914</td>
</tr>
<tr>
<td>5</td>
<td>VIRGINIA CLASS SUBMARINE (AP-CY)</td>
<td>684,288</td>
<td>684,288</td>
<td>684,288</td>
<td>684,288</td>
</tr>
<tr>
<td>6</td>
<td>CVN REFUELING OVERHAULS</td>
<td>1,118,124</td>
<td>1,118,124</td>
<td>1,118,124</td>
<td>1,118,124</td>
</tr>
<tr>
<td></td>
<td>CVN-69 RCOH</td>
<td></td>
<td>[57,100]</td>
<td></td>
<td></td>
</tr>
<tr>
<td>7</td>
<td>CVN REFUELING OVERHAULS (AP-CY)</td>
<td>73,707</td>
<td>73,707</td>
<td>73,707</td>
<td>73,707</td>
</tr>
<tr>
<td>8</td>
<td>SUBMARINE REFUELING OVERHAULS</td>
<td>382,265</td>
<td>382,265</td>
<td>382,265</td>
<td>382,265</td>
</tr>
<tr>
<td>9</td>
<td>SUBMARINE REFUELING OVERHAULS (AP-CY)</td>
<td>77,750</td>
<td>77,750</td>
<td>77,750</td>
<td>77,750</td>
</tr>
<tr>
<td>10</td>
<td>DDG-51</td>
<td>2,966,036</td>
<td>2,966,036</td>
<td>2,966,036</td>
<td>2,966,036</td>
</tr>
<tr>
<td>11</td>
<td>DDG-51 (AP-CY)</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Amphibious Ships</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>12</td>
<td>LHD-1 AMPHIBIOUS ASSAULT SHIP</td>
<td>267,238</td>
<td>267,238</td>
<td>267,238</td>
<td>267,238</td>
</tr>
<tr>
<td>13</td>
<td>LHD-1 AMPHIBIOUS ASSAULT SHIP (AP-CY)</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>14</td>
<td>LPD-17</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
### Title I - Procurement

(Dollars in Thousands)

<table>
<thead>
<tr>
<th>Line No</th>
<th>Program</th>
<th>FY 2002</th>
<th></th>
<th></th>
<th>Senate</th>
<th>Conference Agreement</th>
<th>Authorized</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td>Budget Request</td>
<td>House Authorized</td>
<td></td>
<td></td>
<td>Change</td>
<td>Authorize</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Qty</td>
<td>Cost</td>
<td>Qty</td>
<td>Cost</td>
<td>Qty</td>
<td>Cost</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>16</td>
<td>ADC(x)</td>
<td>1</td>
<td>370,818</td>
<td>1</td>
<td>370,818</td>
<td>1</td>
<td>370,818</td>
</tr>
<tr>
<td>17</td>
<td>LCAC LANDING CRAFT</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Delete Funds Budgeted for FY 02 Starts &amp; FY 03 Deliveries</td>
<td>[10,000]</td>
<td>141,091</td>
<td>141,091</td>
<td>141,091</td>
<td>141,091</td>
<td>141,091</td>
</tr>
<tr>
<td>19</td>
<td>LCAC SLEEP</td>
<td>2</td>
<td>41,091</td>
<td>2</td>
<td>41,091</td>
<td>2</td>
<td>41,091</td>
</tr>
<tr>
<td>20</td>
<td>COMPLETION OF PY SHIPBUILDING PROGRAMS</td>
<td>800,000</td>
<td></td>
<td>725,000</td>
<td>800,000</td>
<td>(75,000)</td>
<td>725,000</td>
</tr>
<tr>
<td></td>
<td>Offset for FY 17 Supplemental Appropriations</td>
<td>[2,000]</td>
<td>2,000</td>
<td>[2,000]</td>
<td>2,000</td>
<td>[2,000]</td>
<td>2,000</td>
</tr>
<tr>
<td>20a</td>
<td>Mine Hunter SWATH</td>
<td>2,000</td>
<td></td>
<td>2,000</td>
<td>2,000</td>
<td>2,000</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Purchase Small MCM Boat</td>
<td>[2,000]</td>
<td>2,000</td>
<td>[2,000]</td>
<td>2,000</td>
<td></td>
<td></td>
</tr>
<tr>
<td>20b</td>
<td>Yard Oilers</td>
<td>9,000</td>
<td></td>
<td>6,000</td>
<td>9,000</td>
<td>6,000</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Additional yard oilers</td>
<td>[9,000]</td>
<td>6,000</td>
<td>[9,000]</td>
<td>6,000</td>
<td></td>
<td></td>
</tr>
<tr>
<td>20c</td>
<td>Management Reform Initiatives</td>
<td>(14,149)</td>
<td>(14,149)</td>
<td>(14,149)</td>
<td>(14,149)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Total</td>
<td>Shipbuilding and Conversion, Navy</td>
<td>9,344,121</td>
<td>9,378,221</td>
<td>9,522,121</td>
<td>26,851</td>
<td>9,370,972</td>
<td></td>
</tr>
</tbody>
</table>
Other Procurement, Navy—Overview

The budget request for fiscal year 2002 included an authorization of $4,097.6 million for Other Procurement, Navy in the Department of Defense.

The Senate bill would authorize $4,293.5 million.

The House amendment would authorize $4,157.3 million.

The conferees recommended an authorization of $4,282.5 million. Unless noted explicitly in the statement of managers, all changes are made without prejudice.
## Title I - Procurement

(Dollars in Thousands)

<table>
<thead>
<tr>
<th>Line No</th>
<th>Program</th>
<th>FY 2002 Budget Request</th>
<th>House Authorized</th>
<th>Senate Authorized</th>
<th>Conference Change</th>
<th>Conference Authorized</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td>Qty</td>
<td>Cost</td>
<td>Qty</td>
<td>Cost</td>
<td>Qty</td>
</tr>
<tr>
<td>1</td>
<td>Other Procurement, Navy</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>2</td>
<td>Ships Support Equipment</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Ship Propulsion Equipment</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>3</td>
<td>LM 2500 GAS TURBINE</td>
<td>7,083</td>
<td></td>
<td>7,083</td>
<td></td>
<td>7,083</td>
</tr>
<tr>
<td>4</td>
<td>ALLISON 501K GAS TURBINE Propellers</td>
<td>6,896</td>
<td></td>
<td>6,896</td>
<td></td>
<td>6,896</td>
</tr>
<tr>
<td>5</td>
<td>SUBMARINE PROPELLERS</td>
<td>4,460</td>
<td></td>
<td>4,460</td>
<td></td>
<td>4,460</td>
</tr>
<tr>
<td>6</td>
<td>Navigation Equipment</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>7</td>
<td>OTHER NAVIGATION EQUIPMENT</td>
<td>45,946</td>
<td></td>
<td>55,946</td>
<td></td>
<td>52,946</td>
</tr>
<tr>
<td></td>
<td>MSC Force Protection Thermal Imaging System</td>
<td>[10,000]</td>
<td></td>
<td></td>
<td></td>
<td>[7,000]</td>
</tr>
<tr>
<td></td>
<td>AN/WSN-7B</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>8</td>
<td>Underway Replenishment Equipment</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>9</td>
<td>UNDERWAY REPLENISHMENT EQUIPMENT</td>
<td>1,802</td>
<td></td>
<td>1,802</td>
<td></td>
<td>1,802</td>
</tr>
<tr>
<td>10</td>
<td>Periscopes</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>11</td>
<td>SUB PERISCOPE &amp; IMAGING EQUIPMENT</td>
<td>29,240</td>
<td></td>
<td>29,240</td>
<td></td>
<td>29,240</td>
</tr>
<tr>
<td>12</td>
<td>Other Shipboard Equipment</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>13</td>
<td>FIREFIGHTING EQUIPMENT</td>
<td>17,539</td>
<td></td>
<td>17,539</td>
<td></td>
<td>17,539</td>
</tr>
<tr>
<td>14</td>
<td>COMMAND AND CONTROL SWITCHBOARD</td>
<td>9,139</td>
<td></td>
<td>9,139</td>
<td></td>
<td>9,139</td>
</tr>
<tr>
<td>15</td>
<td>POLLUTION CONTROL EQUIPMENT</td>
<td>66,958</td>
<td></td>
<td>66,958</td>
<td></td>
<td>66,958</td>
</tr>
<tr>
<td>16</td>
<td>SUBMARINE SUPPORT EQUIPMENT</td>
<td>6,796</td>
<td></td>
<td>6,796</td>
<td></td>
<td>6,796</td>
</tr>
</tbody>
</table>
Title I - Procurement
(Dollars in Thousands)

<table>
<thead>
<tr>
<th>Line No</th>
<th>Program</th>
<th>FY 2002 Budget Request</th>
<th>House Authorized</th>
<th>Senate Authorized</th>
<th>Conference Agreement</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td>Qty</td>
<td>Cost</td>
<td>Qty</td>
<td>Cost</td>
</tr>
<tr>
<td>11</td>
<td>SUBMARINE BATTERIES</td>
<td>10,891</td>
<td>10,891</td>
<td>10,891</td>
<td>10,891</td>
</tr>
<tr>
<td>12</td>
<td>STRATEGIC PLATFORM SUPPORT EQUIPMENT</td>
<td>11,276</td>
<td>11,276</td>
<td>11,276</td>
<td>11,276</td>
</tr>
<tr>
<td>13</td>
<td>DSSP EQUIPMENT</td>
<td>7,498</td>
<td>7,498</td>
<td>7,498</td>
<td>7,498</td>
</tr>
<tr>
<td>14</td>
<td>ICAC</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>15</td>
<td>MINESWEEPING EQUIPMENT</td>
<td>20,168</td>
<td>20,168</td>
<td>20,168</td>
<td>20,168</td>
</tr>
<tr>
<td>16</td>
<td>ITEMS LESS THAN $5 MILLION</td>
<td>79,285</td>
<td>79,285</td>
<td>86,185</td>
<td>4,600</td>
</tr>
<tr>
<td></td>
<td>Integrated Condition Assessment (ICAS) System</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Engineering Control &amp; Surveillance System</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>17</td>
<td>SURFACE IMA</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>18</td>
<td>SUBMARINE LIFE SUPPORT SYSTEM</td>
<td>4,940</td>
<td>4,940</td>
<td>4,940</td>
<td>4,940</td>
</tr>
<tr>
<td></td>
<td>Reactor Plant Equipment</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>19</td>
<td>REACTOR COMPONENTS</td>
<td>208,849</td>
<td>208,849</td>
<td>320,849</td>
<td>112,000</td>
</tr>
<tr>
<td></td>
<td>Reactor Core Funding to Support 4 Conversions</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Ocean Engineering</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>20</td>
<td>DIVING AND SALVAGE EQUIPMENT</td>
<td>5,712</td>
<td>5,712</td>
<td>5,712</td>
<td>5,712</td>
</tr>
<tr>
<td>21</td>
<td>EOD UNDERWATER EQUIPMENT</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Small Boats</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>22</td>
<td>STANDARD BOATS</td>
<td>32,151</td>
<td>35,351</td>
<td>32,151</td>
<td>32,151</td>
</tr>
<tr>
<td></td>
<td>Rigid Inflatable EOD Boats</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

[3,200]
### Title I - Procurement

(Dollars in Thousands)

<table>
<thead>
<tr>
<th>Line No</th>
<th>Program</th>
<th>FY 2002 Budget Request</th>
<th>House Authorized</th>
<th>Senate Authorized</th>
<th>Conference Agreement Change</th>
<th>Authorized</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td>Qty</td>
<td>Cost</td>
<td>Qty</td>
<td>Cost</td>
<td>Qty</td>
</tr>
<tr>
<td>23</td>
<td>OTHER SHIPS TRAINING EQUIPMENT</td>
<td>16,772</td>
<td>16,772</td>
<td>16,772</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Production Facilities and Equipment</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>24</td>
<td>OPERATING FORCES IPE</td>
<td>27,522</td>
<td>28,022</td>
<td>27,522</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Expeditionary Maintenance Facilities</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Other Ship Support</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>25</td>
<td>NUCLEAR ALTERATIONS</td>
<td>121,105</td>
<td>121,105</td>
<td>121,105</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Drug Interdiction Support</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>26</td>
<td>DRUG INTERDICATION SUPPORT</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Communications and Electronics Equipment</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Ship Radars</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>AN/SPS-49</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>27</td>
<td>RADAR SUPPORT</td>
<td>15,000</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>MK-92 Mod 1 Upgrade to Mod 2 Configuration</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>15,000</td>
</tr>
<tr>
<td>28</td>
<td>TISS</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Ship Sonars</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>29</td>
<td>AN/SQQ-9 SURF ASW COMBAT SYSTEM</td>
<td>16,561</td>
<td>16,561</td>
<td>16,561</td>
<td></td>
<td></td>
</tr>
<tr>
<td>30</td>
<td>SSN ACOUSTICS</td>
<td>113,016</td>
<td>113,016</td>
<td>113,016</td>
<td></td>
<td></td>
</tr>
<tr>
<td>31</td>
<td>UNDERSEA WARFARE SUPPORT EQUIPMENT</td>
<td>4,263</td>
<td>4,263</td>
<td>4,263</td>
<td></td>
<td></td>
</tr>
<tr>
<td>32</td>
<td>SURFACE SONAR WINDOWS AND DOMÉ</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
## Title I - Procurement

(Dollars in Thousands)

<table>
<thead>
<tr>
<th>Line No</th>
<th>Program</th>
<th>FY 2002 Budget Request</th>
<th>House Authorized</th>
<th>Senate Authorized</th>
<th>Conference Agreement Change</th>
<th>Authorized</th>
</tr>
</thead>
<tbody>
<tr>
<td>34</td>
<td>SONAR SUPPORT EQUIPMENT</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>10,808</td>
</tr>
<tr>
<td>35</td>
<td>SONAR SWITCHES AND TRANSDUCERS</td>
<td>10,808</td>
<td>10,808</td>
<td>10,808</td>
<td></td>
<td>10,808</td>
</tr>
<tr>
<td>36</td>
<td>ASW Electronic Equipment</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>37</td>
<td>SUBMARINE ACOUSTIC WARFARE SYSTEM</td>
<td>12,624</td>
<td>12,624</td>
<td>12,624</td>
<td></td>
<td>12,624</td>
</tr>
<tr>
<td>38</td>
<td>FIXED SURVEILLANCE SYSTEM</td>
<td>33,692</td>
<td>33,692</td>
<td>33,692</td>
<td></td>
<td>33,692</td>
</tr>
<tr>
<td>39</td>
<td>SURTASS</td>
<td>17,650</td>
<td>17,650</td>
<td>17,650</td>
<td></td>
<td>17,650</td>
</tr>
<tr>
<td>40</td>
<td>ASW OPERATIONS CENTER</td>
<td>6,059</td>
<td>6,059</td>
<td>6,059</td>
<td></td>
<td>6,059</td>
</tr>
<tr>
<td>41</td>
<td>Electronic Warfare Equipment</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>42</td>
<td>AN/SLQ-32</td>
<td>1,971</td>
<td>1,971</td>
<td>1,971</td>
<td></td>
<td>1,971</td>
</tr>
<tr>
<td>43</td>
<td>INFORMATION WARFARE SYSTEMS</td>
<td>2,908</td>
<td>2,908</td>
<td>2,908</td>
<td></td>
<td>2,908</td>
</tr>
<tr>
<td>44</td>
<td>Reconnaissance Equipment</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>45</td>
<td>SHIPBOARD EW EXPLOIT</td>
<td>57,535</td>
<td>57,535</td>
<td>57,535</td>
<td></td>
<td>57,535</td>
</tr>
<tr>
<td>46</td>
<td>COMMON HIGH BANDWIDTH DATA LINK</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>47</td>
<td>Submarine Surveillance Equipment</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>48</td>
<td>SUBMARINE SUPPORT EQUIPMENT PROGRAM</td>
<td>22,928</td>
<td>22,928</td>
<td>22,928</td>
<td></td>
<td>22,928</td>
</tr>
<tr>
<td>49</td>
<td>Other Ship Electronic Equipment</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>50</td>
<td>NAVY TACTICAL DATA SYSTEM</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>51</td>
<td>COOPERATIVE ENGAGEMENT CAPABILITY</td>
<td>77,133</td>
<td>77,133</td>
<td>77,133</td>
<td></td>
<td>77,133</td>
</tr>
<tr>
<td>52</td>
<td>GCCS-M EQUIPMENT</td>
<td>61,085</td>
<td>61,085</td>
<td>61,085</td>
<td></td>
<td>61,085</td>
</tr>
</tbody>
</table>
### Title I - Procurement

(Dollars in Thousands)

<table>
<thead>
<tr>
<th>Line No</th>
<th>Program</th>
<th>FY 2002 Budget Request</th>
<th>House Authorized</th>
<th>Senate Authorized</th>
<th>Conference Agreement</th>
</tr>
</thead>
<tbody>
<tr>
<td>48</td>
<td>NAVAL TACTICAL COMMAND SUPPORT SYSTEM (NTCSS)</td>
<td>42,826</td>
<td>42,826</td>
<td>42,826</td>
<td>42,826</td>
</tr>
<tr>
<td>49</td>
<td>ATDIS</td>
<td>9,965</td>
<td>9,965</td>
<td>9,965</td>
<td>9,965</td>
</tr>
<tr>
<td>50</td>
<td>MINESWEEPING SYSTEM REPLACEMENT</td>
<td>8,903</td>
<td>8,903</td>
<td>13,903</td>
<td>5,000</td>
</tr>
<tr>
<td></td>
<td>High resolution side-scan sonar</td>
<td></td>
<td></td>
<td></td>
<td>13,903</td>
</tr>
<tr>
<td>51</td>
<td>SHALLOW WATER MCM</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>52</td>
<td>NAVSTAR GPS RECEIVERS (SPACE)</td>
<td>9,857</td>
<td>9,857</td>
<td>9,857</td>
<td>9,857</td>
</tr>
<tr>
<td>53</td>
<td>ARMED FORCES RADIO AND TV</td>
<td>14,609</td>
<td>14,609</td>
<td>14,609</td>
<td>14,609</td>
</tr>
<tr>
<td>54</td>
<td>STRATEGIC PLATFORM SUPPORT EQUIPMENT</td>
<td>11,361</td>
<td>11,361</td>
<td>11,361</td>
<td>11,361</td>
</tr>
<tr>
<td></td>
<td>Training Equipment</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>55</td>
<td>OTHER SPAWAR TRAINING EQUIPMENT</td>
<td>1,793</td>
<td>1,793</td>
<td>1,793</td>
<td>1,793</td>
</tr>
<tr>
<td>56</td>
<td>OTHER TRAINING EQUIPMENT</td>
<td>37,225</td>
<td>41,225</td>
<td>41,225</td>
<td>2,000</td>
</tr>
<tr>
<td></td>
<td>Battle Force Tactical Trainer (BFTT) - Air Traffic Control</td>
<td></td>
<td></td>
<td></td>
<td>39,225</td>
</tr>
<tr>
<td></td>
<td>Tactical Communications Onboard Trainer for BFTT</td>
<td></td>
<td></td>
<td></td>
<td>[4,000]</td>
</tr>
<tr>
<td></td>
<td>Aviation Electronic Equipment</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>57</td>
<td>MATCALS</td>
<td>1,005</td>
<td>1,005</td>
<td>1,005</td>
<td>1,005</td>
</tr>
<tr>
<td>58</td>
<td>SHIPBOARD AIR TRAFFIC CONTROL</td>
<td>8,036</td>
<td>8,036</td>
<td>8,036</td>
<td>8,036</td>
</tr>
<tr>
<td>59</td>
<td>AUTOMATIC CARRIER LANDING SYSTEM</td>
<td>15,617</td>
<td>15,617</td>
<td>15,617</td>
<td>15,617</td>
</tr>
<tr>
<td>Line No.</td>
<td>Program</td>
<td>FY 2002 Budget Request</td>
<td>House Authorized</td>
<td>Senate Authorized</td>
<td>Conference Agreement</td>
</tr>
<tr>
<td>---------</td>
<td>---------------------------------------------</td>
<td>------------------------</td>
<td>------------------</td>
<td>-------------------</td>
<td>----------------------</td>
</tr>
<tr>
<td>60</td>
<td>NATIONAL AIR SPACE SYSTEM</td>
<td>43,618</td>
<td>43,618</td>
<td>43,618</td>
<td>43,618</td>
</tr>
<tr>
<td>61</td>
<td>AIR STATION SUPPORT EQUIPMENT</td>
<td>7,421</td>
<td>7,421</td>
<td>7,421</td>
<td>7,421</td>
</tr>
<tr>
<td>62</td>
<td>MICROWAVE LANDING SYSTEM</td>
<td>5,409</td>
<td>5,409</td>
<td>5,409</td>
<td>5,409</td>
</tr>
<tr>
<td>63</td>
<td>FACSFAIC</td>
<td>1,151</td>
<td>1,151</td>
<td>1,151</td>
<td>1,151</td>
</tr>
<tr>
<td>64</td>
<td>ID SYSTEMS</td>
<td>18,310</td>
<td>17,310</td>
<td>18,310</td>
<td>18,310</td>
</tr>
<tr>
<td></td>
<td>Unjustified cost increase</td>
<td>[-1,000]</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>65</td>
<td>SURFACE IDENTIFICATION SYSTEMS</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>66</td>
<td>TAC A/C MISSION PLANNING SYS (TAMPS)</td>
<td>13,411</td>
<td>13,411</td>
<td>13,411</td>
<td>13,411</td>
</tr>
<tr>
<td></td>
<td>Other shore electronic equipment</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>67</td>
<td>GCCS-M EQUIPMENT ASHORE</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>68</td>
<td>TADIX B</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>70</td>
<td>GCCS-M EQUIPMENT TACTICAL/MOBILE</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>71</td>
<td>COMMON IMAGERY GROUND SURFACE SYSTEMS</td>
<td>58,446</td>
<td>58,446</td>
<td>58,446</td>
<td>58,446</td>
</tr>
<tr>
<td>72</td>
<td>RADIC</td>
<td>7,876</td>
<td>7,876</td>
<td>7,876</td>
<td>7,876</td>
</tr>
<tr>
<td>73</td>
<td>GPEF-E</td>
<td>4,727</td>
<td>4,727</td>
<td>4,727</td>
<td>4,727</td>
</tr>
<tr>
<td>74</td>
<td>INTEG COMBAT SYSTEM TEST FACILITY</td>
<td>4,502</td>
<td>4,502</td>
<td>4,502</td>
<td>4,502</td>
</tr>
<tr>
<td>75</td>
<td>EMI CONTROL INSTRUMENTATION</td>
<td>5,162</td>
<td>5,162</td>
<td>5,162</td>
<td>5,162</td>
</tr>
</tbody>
</table>

* (Dollars in Thousands)
## Title I - Procurement

(Dollars in Thousands)

<table>
<thead>
<tr>
<th>Line No</th>
<th>Program</th>
<th>FY 2002 Budget Request</th>
<th>House Authorized</th>
<th>Senate Authorized</th>
<th>Conference Agreement Change</th>
<th>Authorized</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td>Qty</td>
<td>Cost</td>
<td>Qty</td>
<td>Cost</td>
<td>Qty</td>
</tr>
<tr>
<td>76</td>
<td>ITEMS LESS THAN $5 MILLION</td>
<td>6,332</td>
<td>6,332</td>
<td>29,332</td>
<td>10,000</td>
<td>16,332</td>
</tr>
<tr>
<td></td>
<td>AN/SPS-73 (V)</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>AN/BPS-15H Integration into TIDS</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Shipboard Communications</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>77</td>
<td>SHIPBOARD TACTICAL COMMUNICATIONS</td>
<td>121,242</td>
<td>121,242</td>
<td>121,242</td>
<td></td>
<td>121,242</td>
</tr>
<tr>
<td>78</td>
<td>SHIP COMMUNICATIONS AUTOMATION</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>79</td>
<td>SHIP COMM ITEMS UNDER $5 MILLION</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>80</td>
<td>COMMUNICATIONS ITEMS UNDER $5M</td>
<td>24,278</td>
<td>24,278</td>
<td>24,278</td>
<td></td>
<td>24,278</td>
</tr>
<tr>
<td></td>
<td>Submarine Communications</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>81</td>
<td>SHORE LF/LEF COMMUNICATIONS</td>
<td>17,517</td>
<td>17,517</td>
<td>17,517</td>
<td></td>
<td>17,517</td>
</tr>
<tr>
<td>82</td>
<td>SUBMARINE COMMUNICATION EQUIPMENT</td>
<td>89,309</td>
<td>89,309</td>
<td>89,309</td>
<td></td>
<td>89,309</td>
</tr>
<tr>
<td></td>
<td>Satellite Communications</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>83</td>
<td>SATCOM SHIP TERMINALS (SPACE)</td>
<td>198,143</td>
<td>213,143</td>
<td>198,143</td>
<td>12,000</td>
<td>210,143</td>
</tr>
<tr>
<td>84</td>
<td>SATELLITE COMMUNICATIONS SYSTEMS</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Digital Modular Radio</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>85</td>
<td>SATCOM SHORE TERMINALS (SPACE)</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Shore Communications</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>86</td>
<td>JCS COMMUNICATIONS EQUIPMENT</td>
<td>4,623</td>
<td>4,623</td>
<td>4,623</td>
<td></td>
<td>4,623</td>
</tr>
<tr>
<td>87</td>
<td>ELECTRICAL POWER SYSTEMS</td>
<td>1,301</td>
<td>1,301</td>
<td>1,301</td>
<td></td>
<td>1,301</td>
</tr>
<tr>
<td>88</td>
<td>NSIPS</td>
<td>14,232</td>
<td>14,232</td>
<td>14,232</td>
<td></td>
<td>14,232</td>
</tr>
</tbody>
</table>
## Title I - Procurement

(Dollars in Thousands)

<table>
<thead>
<tr>
<th>Line</th>
<th>Program</th>
<th>FY 2002 Budget Request</th>
<th>House Authorized</th>
<th>Senate Authorized</th>
<th>Conference Agreement Authorized</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td>Qty</td>
<td>Cost</td>
<td>Qty</td>
<td>Cost</td>
</tr>
<tr>
<td>89</td>
<td>JEDMICS</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>90</td>
<td>NAVAL SHORE COMMUNICATIONS</td>
<td>66,772</td>
<td>66,772</td>
<td>66,772</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Cryptographic Equipment</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>91</td>
<td>INFO SYSTEMS SECURITY PROGRAM (ISSP)</td>
<td>78,170</td>
<td>88,170</td>
<td>78,170</td>
<td>3,000</td>
</tr>
<tr>
<td></td>
<td>Additional Secure Terminal Equipment</td>
<td></td>
<td>[10,000]</td>
<td></td>
<td>[10,000]</td>
</tr>
<tr>
<td></td>
<td>Cryptologic Equipment</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>92</td>
<td>SPECIAL DCP</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>93</td>
<td>CRYPTOLOGIC COMMUNICATIONS EQUIPMENT</td>
<td>15,595</td>
<td>15,595</td>
<td>15,595</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Drug Interdiction Support</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>94</td>
<td>OTHER DRUG INTERDCTION SUPPORT</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Aviation Support Equipment</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Sonobuoys</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>95</td>
<td>PASSIVE SONOBUOYS (NON-BEAM FORMING)</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>96</td>
<td>AN/SSQ-62 (DICASS)</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>97</td>
<td>AN/SSQ-101 (ADAR)</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>98</td>
<td>SONOBUOYS - ALL TYPES</td>
<td>57,886</td>
<td>57,886</td>
<td>77,886</td>
<td>10,000</td>
</tr>
<tr>
<td>99</td>
<td>MISCELLANEOUS SONOBUOYS LESS THAN $5 MILLION</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Aircraft Support Equipment</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>100</td>
<td>WEAPONS RANGE SUPPORT EQUIPMENT</td>
<td>10,129</td>
<td>10,129</td>
<td>10,129</td>
<td></td>
</tr>
<tr>
<td>Line No</td>
<td>Program</td>
<td>FY 2002 Budget Request</td>
<td>House Authorized</td>
<td>Senate Authorized</td>
<td>Conference Agreement</td>
</tr>
<tr>
<td>--------</td>
<td>---------------------------------------------</td>
<td>------------------------</td>
<td>------------------</td>
<td>-------------------</td>
<td>----------------------</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Qty</td>
<td>Cost</td>
<td>Qty</td>
<td>Cost</td>
</tr>
<tr>
<td>101</td>
<td>EXPEDITIONARY AIRFIELDS</td>
<td>7,551</td>
<td>7,551</td>
<td>7,551</td>
<td>7,551</td>
</tr>
<tr>
<td>102</td>
<td>AIRCRAFT REARMING EQUIPMENT</td>
<td>12,265</td>
<td>12,265</td>
<td>12,265</td>
<td>12,265</td>
</tr>
<tr>
<td>103</td>
<td>AIRCRAFT LAUNCH &amp; RECOVERY EQUIPMENT</td>
<td>27,500</td>
<td>27,500</td>
<td>27,500</td>
<td>27,500</td>
</tr>
<tr>
<td>104</td>
<td>METEOROLOGICAL EQUIPMENT</td>
<td>29,833</td>
<td>29,833</td>
<td>29,833</td>
<td>29,833</td>
</tr>
<tr>
<td>105</td>
<td>OTHER PHOTOGRAPHIC EQUIPMENT</td>
<td>1,710</td>
<td>1,710</td>
<td>1,710</td>
<td>1,710</td>
</tr>
<tr>
<td>106</td>
<td>AVIATION LIFE SUPPORT</td>
<td>21,035</td>
<td>21,035</td>
<td>21,035</td>
<td>21,035</td>
</tr>
<tr>
<td>107</td>
<td>AIRBORNE MINE COUNTERMEASURES</td>
<td>46,860</td>
<td>46,860</td>
<td>46,860</td>
<td>46,860</td>
</tr>
<tr>
<td>108</td>
<td>OTHER AVIATION SUPPORT EQUIPMENT</td>
<td>13,645</td>
<td>13,645</td>
<td>13,645</td>
<td>13,645</td>
</tr>
<tr>
<td></td>
<td>Ordnance Support Equipment</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Ship Gun System Equipment</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>109</td>
<td>GUN FIRE CONTROL EQUIPMENT</td>
<td>17,926</td>
<td>17,926</td>
<td>21,926</td>
<td>4,000</td>
</tr>
<tr>
<td></td>
<td>SPQ-9B Solid State Transmitter</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>110</td>
<td>NAVAL FIRES CONTROL SYSTEM</td>
<td>600</td>
<td>600</td>
<td>600</td>
<td>600</td>
</tr>
<tr>
<td></td>
<td>Ship Missile System Equipment</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>111</td>
<td>NATO SEASPARROW</td>
<td>10,670</td>
<td>10,670</td>
<td>10,670</td>
<td>10,670</td>
</tr>
<tr>
<td>112</td>
<td>RAM GMIS</td>
<td>31,838</td>
<td>31,838</td>
<td>31,838</td>
<td>31,838</td>
</tr>
<tr>
<td>113</td>
<td>SHIP SELF-DEFENSE SYSTEM</td>
<td>34,378</td>
<td>34,378</td>
<td>34,378</td>
<td>34,378</td>
</tr>
<tr>
<td>114</td>
<td>AEGIS SUPPORT EQUIPMENT</td>
<td>155,113</td>
<td>155,113</td>
<td>155,113</td>
<td>155,113</td>
</tr>
<tr>
<td>115</td>
<td>SURFACE TОМАHAWK SUPPORT EQUIPMENT</td>
<td>61,241</td>
<td>61,241</td>
<td>61,241</td>
<td>61,241</td>
</tr>
</tbody>
</table>
### Title I - Procurement

(Dollars in Thousands)

<table>
<thead>
<tr>
<th>Line</th>
<th>Program</th>
<th>FY 2002 Budget Request</th>
<th>House Authorized</th>
<th>Senate Authorized</th>
<th>Conference Agreement Change</th>
<th>Authorized</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td>Qty</td>
<td>Cost</td>
<td>Qty</td>
<td>Cost</td>
<td>Qty</td>
</tr>
<tr>
<td>116</td>
<td>SUBMARINE TOMAHAWK SUPPORT EQUIPMENT</td>
<td>3,062</td>
<td>3,062</td>
<td>3,062</td>
<td>3,062</td>
<td>3,062</td>
</tr>
<tr>
<td>117</td>
<td>VERTICAL LAUNCH SYSTEMS</td>
<td>6,857</td>
<td>6,857</td>
<td>6,857</td>
<td>6,857</td>
<td>6,857</td>
</tr>
<tr>
<td></td>
<td>FBM Support Equipment</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>118</td>
<td>STRATEGIC PLATFORM SUPPORT EQUIPMENT</td>
<td>9,823</td>
<td>9,823</td>
<td>9,823</td>
<td>9,823</td>
<td>9,823</td>
</tr>
<tr>
<td>119</td>
<td>STRATEGIC MISSILE SYSTEMS EQUIPMENT</td>
<td>205,094</td>
<td>203,094</td>
<td>205,094</td>
<td>205,094</td>
<td>205,094</td>
</tr>
<tr>
<td></td>
<td>Unjustified cost increases</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>ASW Support Equipment</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>120</td>
<td>SSN COMBAT CONTROL SYSTEMS</td>
<td>40,716</td>
<td>40,716</td>
<td>40,716</td>
<td>40,716</td>
<td>40,716</td>
</tr>
<tr>
<td>121</td>
<td>SUBMARINE ASW SUPPORT EQUIPMENT</td>
<td>5,935</td>
<td>5,935</td>
<td>5,935</td>
<td>5,935</td>
<td>5,935</td>
</tr>
<tr>
<td>123</td>
<td>ASW RANGE SUPPORT EQUIPMENT</td>
<td>6,012</td>
<td>6,012</td>
<td>6,012</td>
<td>6,012</td>
<td>6,012</td>
</tr>
<tr>
<td></td>
<td>Other Ordnance Support Equipment</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>124</td>
<td>EXPLOSIVE ORDNANCE DISPOSAL EQUIPMENT</td>
<td>9,353</td>
<td>9,353</td>
<td>9,353</td>
<td>9,353</td>
<td>9,353</td>
</tr>
<tr>
<td>125</td>
<td>ITEMS LESS THAN $5 MILLION</td>
<td>5,795</td>
<td>5,795</td>
<td>5,795</td>
<td>5,795</td>
<td>5,795</td>
</tr>
</tbody>
</table>
### Title I - Procurement

(Dollars in Thousands)

<table>
<thead>
<tr>
<th>Line No</th>
<th>Program</th>
<th>FY 2002 Budget Request</th>
<th>House Authorized</th>
<th>Senate Authorized</th>
<th>Conference Agreement Change</th>
<th>Authorized</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td>Qty</td>
<td>Cost</td>
<td>Qty</td>
<td>Cost</td>
<td>Qty</td>
</tr>
<tr>
<td>126</td>
<td>ANTI-SHIP MISSILE DECOY SYSTEM</td>
<td>27,513</td>
<td>27,513</td>
<td>41,513</td>
<td>[12,000]</td>
<td>10,000</td>
</tr>
<tr>
<td></td>
<td>NUIKA Decoy Procurement</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>NUIKA Modifications</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>127</td>
<td>SURFACE TRAINING DEVICE MODS</td>
<td>7,318</td>
<td>7,318</td>
<td>7,318</td>
<td>[2,000]</td>
<td>2,000</td>
</tr>
<tr>
<td>128</td>
<td>SUBMARINE TRAINING DEVICE MODS</td>
<td>20,753</td>
<td>20,753</td>
<td>20,753</td>
<td>[2,000]</td>
<td>2,000</td>
</tr>
<tr>
<td></td>
<td>Civil Engineering Support Equipment</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>129</td>
<td>ARMORED SEDANS</td>
<td>440</td>
<td>440</td>
<td>440</td>
<td>[440]</td>
<td>440</td>
</tr>
<tr>
<td>130</td>
<td>PASSENGER CARRYING VEHICLES</td>
<td>1,351</td>
<td>1,351</td>
<td>1,351</td>
<td>[1,351]</td>
<td>1,351</td>
</tr>
<tr>
<td>131</td>
<td>GENERAL PURPOSE TRUCKS</td>
<td>1,531</td>
<td>1,531</td>
<td>1,531</td>
<td>[1,531]</td>
<td>1,531</td>
</tr>
<tr>
<td>132</td>
<td>CONSTRUCTION &amp; MAINTENANCE EQUIPMENT</td>
<td>9,587</td>
<td>9,587</td>
<td>9,587</td>
<td>[9,587]</td>
<td>9,587</td>
</tr>
<tr>
<td>133</td>
<td>FIRE FIGHTING EQUIPMENT</td>
<td>5,300</td>
<td>5,300</td>
<td>5,300</td>
<td>[5,300]</td>
<td>5,300</td>
</tr>
<tr>
<td>134</td>
<td>TACTICAL VEHICLES</td>
<td>20,154</td>
<td>20,154</td>
<td>20,154</td>
<td>[20,154]</td>
<td>20,154</td>
</tr>
<tr>
<td>136</td>
<td>POLLUTION CONTROL EQUIPMENT</td>
<td>19,969</td>
<td>19,969</td>
<td>19,969</td>
<td>[19,969]</td>
<td>19,969</td>
</tr>
<tr>
<td>137</td>
<td>ITEMS UNDER $5 MILLION</td>
<td>11,323</td>
<td>11,323</td>
<td>11,323</td>
<td>[11,323]</td>
<td>11,323</td>
</tr>
</tbody>
</table>
# Title I - Procurement

(Dollars in Thousands)

<table>
<thead>
<tr>
<th>Line No</th>
<th>Program</th>
<th>FY 2002</th>
<th>House Authorized</th>
<th>Senate Authorized</th>
<th>Conference Agreement</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td>Qty</td>
<td>Cost</td>
<td>Qty</td>
<td>Cost</td>
</tr>
</tbody>
</table>
| 138     | Supply Support Equipment  
MATERIALS HANDLING EQUIPMENT | 8,786   | 8,786            | 8,786              | 8,786               |      |      |      |      |
| 139     | OTHER SUPPLY SUPPORT EQUIPMENT  
Serial Number Tracking System | 7,534   | 13,534           | 7,534              | 2,000               | 9,534|      |      |      |
| 140     | FIRST DESTINATION TRANSPORTATION               | 5,222   | 5,222            | 5,222              | [2,000]             |      |      |      |      |
| 141     | SPECIAL PURPOSE SUPPLY SYSTEMS                  | 490,438 | 490,438          | 490,438            | 490,438             |      |      |      |      |
|         | Personnel and Command Support Equipment  
Training Devices |         |                   |                    |                    |                    |      |      |      |      |
<p>| 142     | TRAINING SUPPORT EQUIPMENT                      | 1,101   | 1,101            | 1,101              | 1,101               |      |      |      |      |
| 143     | Command Support Equipment                       |         |                   |                    |                    |      |      |      |      |
| 144     | OTHER TRAINING EQUIPMENT                        |         |                   |                    |                    |      |      |      |      |
| 145     | COMMAND SUPPORT EQUIPMENT                       | 28,787  | 27,787           | 28,787             | 28,787              |      |      |      |      |
|         | Unjustified cost increases                      |         | [-1,000]         |                    |                    |      |      |      |      |
| 146     | EDUCATION SUPPORT EQUIPMENT                     | 6,646   | 6,646            | 6,646              | 6,646               |      |      |      |      |
| 147     | MEDICAL SUPPORT EQUIPMENT                       | 7,693   | 7,693            | 7,693              | 7,693               |      |      |      |      |
| 148     | INTELLIGENCE SUPPORT EQUIPMENT                  |         |                   |                    |                    |      |      |      |      |
| 149     | OPERATING FORCES SUPPORT EQUIPMENT              | 15,812  | 15,812           | 15,812             | 15,812              |      |      |      |      |
| 150     | MOBILE SENSOR PLATFORM                          | 4,006   | 4,006            | 4,006              | 4,006               |      |      |      |      |</p>
<table>
<thead>
<tr>
<th>Line</th>
<th>Program</th>
<th>FY 2002 Budget Request</th>
<th>House Authorized</th>
<th>Senate Authorized</th>
<th>Conference Agreement</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td>Qty</td>
<td>Cost</td>
<td>Qty</td>
<td>Cost</td>
</tr>
<tr>
<td>151</td>
<td>ENVIRONMENTAL SUPPORT EQUIPMENT</td>
<td>25,205</td>
<td>25,205</td>
<td>25,205</td>
<td></td>
</tr>
<tr>
<td>152</td>
<td>PHYSICAL SECURITY EQUIPMENT</td>
<td>116,932</td>
<td>116,932</td>
<td>116,932</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Productivity Programs</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>153</td>
<td>JUDGMENT FUND REIMBURSEMENT</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Other</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>154</td>
<td>CANCELED ACCOUNT ADJUSTMENTS</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Spares and Repair Parts</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>155</td>
<td>SPARES AND REPAIR PARTS</td>
<td>234,136</td>
<td>234,136</td>
<td>234,136</td>
<td>234,136</td>
</tr>
<tr>
<td>999</td>
<td>CLASSIFIED PROGRAMS</td>
<td>15,463</td>
<td>15,463</td>
<td>15,463</td>
<td>15,463</td>
</tr>
<tr>
<td>155a</td>
<td>Management Reform Initiatives</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Total - Other Procurement, Navy</td>
<td>4,097,576</td>
<td>4,157,276</td>
<td>4,293,476</td>
<td>184,895</td>
</tr>
</tbody>
</table>
Procurement, Marine Corps—Overview

The budget request for fiscal year 2002 included an authorization of $981.7 million for Procurement, Marine Corps in the Department of Defense.

The Senate bill would authorize $981.7 million.

The House amendment would authorize $1,025.6 million.

The conferees recommended an authorization of $1,014.6 million. Unless noted explicitly in the statement of managers, all changes are made without prejudice.
## Title I - Procurement

(Dollars in Thousands)

<table>
<thead>
<tr>
<th>Line</th>
<th>Program</th>
<th>FY 2002 Budget Request</th>
<th>House Authorized</th>
<th>Senate Authorized</th>
<th>Conference Agreement Change</th>
<th>Authorized</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td>Qty</td>
<td>Cost</td>
<td>Qty</td>
<td>Cost</td>
<td>Qty</td>
</tr>
<tr>
<td>1</td>
<td>AAV7A1 PIP</td>
<td>170</td>
<td>77,087</td>
<td>170</td>
<td>77,087</td>
<td>170</td>
</tr>
<tr>
<td>2</td>
<td>AAAV</td>
<td>1,512</td>
<td>1,512</td>
<td>1,512</td>
<td>1,512</td>
<td></td>
</tr>
<tr>
<td>3</td>
<td>LAV PIP</td>
<td>25,783</td>
<td>25,783</td>
<td>25,783</td>
<td>25,783</td>
<td></td>
</tr>
<tr>
<td>4</td>
<td>IMPROVED RECOVERY VEHICLE (IRV)</td>
<td>8</td>
<td>21,026</td>
<td>8</td>
<td>21,026</td>
<td>8</td>
</tr>
<tr>
<td>5</td>
<td>MODIFICATION KITS (TRKD VEH)</td>
<td>3,825</td>
<td>3,825</td>
<td>3,825</td>
<td>3,825</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Artillery and Other Weapons</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>6</td>
<td>155MM LIGHTWEIGHT TOWED HOWITZER</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>7</td>
<td>MOD KITS (ARTILLERY)</td>
<td>1,478</td>
<td>1,478</td>
<td>1,478</td>
<td>1,478</td>
<td></td>
</tr>
<tr>
<td>8</td>
<td>MARINE ENHANCEMENT PROGRAM</td>
<td>2,243</td>
<td>2,243</td>
<td>2,243</td>
<td>2,243</td>
<td></td>
</tr>
<tr>
<td>9</td>
<td>WEAPONS AND COMBAT VEHICLES UNDER $5 MILLION</td>
<td>274</td>
<td>5,274</td>
<td>274</td>
<td>5,274</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Weapons</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>10</td>
<td>MODULAR WEAPON SYSTEM</td>
<td>7,501</td>
<td>7,501</td>
<td>7,501</td>
<td>7,501</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Other Support</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>11</td>
<td>OPERATIONS OTHER THAN WAR</td>
<td>1,552</td>
<td>1,552</td>
<td>1,552</td>
<td>1,552</td>
<td></td>
</tr>
</tbody>
</table>
### Title I - Procurement

(Dollars in Thousands)

<table>
<thead>
<tr>
<th>Line No</th>
<th>Program</th>
<th>FY 2002 Budget Request</th>
<th>House Authorized</th>
<th>Senate Authorized</th>
<th>Conference Agreement Change</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td>Qty</td>
<td>Cost</td>
<td>Qty</td>
<td>Cost</td>
</tr>
<tr>
<td>12</td>
<td>JAVELIN</td>
<td>1,036</td>
<td>1,036</td>
<td>1,036</td>
<td>1,036</td>
</tr>
<tr>
<td>13</td>
<td>PEDESTAL MOUNTED STINGER (PMS) (MYP)</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>14</td>
<td>ITEMS UNDER $5 MILLION</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>15</td>
<td>PREDATOR (SRAW)</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td><strong>Other Support</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>16</td>
<td>MODIFICATION KITS</td>
<td>6,612</td>
<td>6,612</td>
<td>6,612</td>
<td>6,612</td>
</tr>
<tr>
<td></td>
<td>Communications and Electronics Equipment</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Repair and Test Equipment</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>17</td>
<td>AUTO TEST EQUIP SYS</td>
<td>616</td>
<td>616</td>
<td>616</td>
<td>616</td>
</tr>
<tr>
<td>18</td>
<td>GENERAL PURPOSE ELECTRONIC TEST EQUIPMENT</td>
<td>8,115</td>
<td>8,115</td>
<td>8,115</td>
<td>8,115</td>
</tr>
<tr>
<td></td>
<td>Intel/Comm Equipment (Non-tel)</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>19</td>
<td>INTELLIGENCE SUPPORT EQUIPMENT</td>
<td>9,615</td>
<td>9,615</td>
<td>9,615</td>
<td>9,615</td>
</tr>
<tr>
<td>20</td>
<td>MOD KITS (INTEL)</td>
<td>7,217</td>
<td>7,217</td>
<td>7,217</td>
<td>7,217</td>
</tr>
<tr>
<td>21</td>
<td>ITEMS UNDER $5 MILLION (INTEL.)</td>
<td>1,654</td>
<td>1,654</td>
<td>1,654</td>
<td>1,654</td>
</tr>
<tr>
<td></td>
<td>Repair and Test Equipment (Non-tel)</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>22</td>
<td>GENERAL PURPOSE MECHANICAL TMDE</td>
<td>4,578</td>
<td>4,578</td>
<td>4,578</td>
<td>4,578</td>
</tr>
</tbody>
</table>
# Title I - Procurement

(Dollars in Thousands)

<table>
<thead>
<tr>
<th>Line No</th>
<th>Program</th>
<th>FY 2002 Budget Request</th>
<th>House Authorized</th>
<th>Senate Authorized</th>
<th>Conference Agreement Change</th>
<th>FY 2002 Authorized</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td>Qty</td>
<td>Cost</td>
<td>Qty</td>
<td>Cost</td>
<td>Qty</td>
</tr>
<tr>
<td>23</td>
<td>NIGHT VISION EQUIPMENT</td>
<td>22,374</td>
<td>36,874</td>
<td>22,374</td>
<td>10,000</td>
<td>32,374</td>
</tr>
<tr>
<td></td>
<td>AN/PVS-17</td>
<td></td>
<td>[14,500]</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>24</td>
<td>ITEMS UNDER $5 MILLION (COMM &amp; ELEC)</td>
<td>9,028</td>
<td>9,028</td>
<td>9,028</td>
<td>9,028</td>
<td>9,028</td>
</tr>
<tr>
<td>25</td>
<td>COMMON COMPUTER RESOURCES</td>
<td>21,302</td>
<td>21,302</td>
<td>21,302</td>
<td>21,302</td>
<td>21,302</td>
</tr>
<tr>
<td>26</td>
<td>COMMAND POST SYSTEMS</td>
<td>17,338</td>
<td>17,338</td>
<td>17,338</td>
<td>17,338</td>
<td>17,338</td>
</tr>
<tr>
<td>27</td>
<td>MANEUVER C2 SYSTEMS</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>28</td>
<td>RADIO SYSTEMS</td>
<td>50,911</td>
<td>50,911</td>
<td>50,911</td>
<td>50,911</td>
<td>50,911</td>
</tr>
<tr>
<td>29</td>
<td>COMM SWITCHING &amp; CONTROL SYSTEMS</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>30</td>
<td>COMM &amp; ELEC INFRASTRUCTURE SUPPORT</td>
<td>7,546</td>
<td>7,546</td>
<td>7,546</td>
<td>7,546</td>
<td>7,546</td>
</tr>
<tr>
<td>31</td>
<td>MOD KITS MAGTF C4I</td>
<td>21,136</td>
<td>21,136</td>
<td>21,136</td>
<td>21,136</td>
<td>21,136</td>
</tr>
<tr>
<td>32</td>
<td>AIR OPERATIONS C2 SYSTEMS</td>
<td>5,210</td>
<td>5,210</td>
<td>5,210</td>
<td>5,210</td>
<td>5,210</td>
</tr>
<tr>
<td>33</td>
<td>INTELLIGENCE C2 SYSTEMS</td>
<td>11,825</td>
<td>11,825</td>
<td>11,825</td>
<td>11,825</td>
<td>11,825</td>
</tr>
<tr>
<td>34</td>
<td>FIRE SUPPORT SYSTEM</td>
<td>16,152</td>
<td>16,152</td>
<td>16,152</td>
<td>16,152</td>
<td>16,152</td>
</tr>
<tr>
<td></td>
<td>Support Vehicles</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Administrative Vehicles</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>35</td>
<td>COMMERCIAL PASSENGER VEHICLES</td>
<td>773</td>
<td>773</td>
<td>773</td>
<td>773</td>
<td>773</td>
</tr>
<tr>
<td>36</td>
<td>COMMERCIAL CARGO VEHICLES</td>
<td>6,487</td>
<td>6,487</td>
<td>6,487</td>
<td>6,487</td>
<td>6,487</td>
</tr>
</tbody>
</table>
### Title I - Procurement

(Dollars in Thousands)

<table>
<thead>
<tr>
<th>Line No</th>
<th>Program</th>
<th>FY 2002</th>
<th>House Authorized</th>
<th>Senate Authorized</th>
<th>Conference Agreement Authorized</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td>Budget Request</td>
<td>Qty</td>
<td>Cost</td>
<td>Qty</td>
</tr>
<tr>
<td>37</td>
<td>5/4T TRUCK HMMWV (MYP)</td>
<td>1466</td>
<td>109,201</td>
<td>1466</td>
<td>109,201</td>
</tr>
<tr>
<td>38</td>
<td>MEDIUM TACTICAL VEHICLE REPLACEMENT</td>
<td>1946</td>
<td>312,199</td>
<td>1946</td>
<td>312,199</td>
</tr>
<tr>
<td>39</td>
<td>ITEMS LESS THAN $5 MILLION</td>
<td></td>
<td>2,564</td>
<td>2,564</td>
<td>2,564</td>
</tr>
<tr>
<td></td>
<td>Engineer and Other Equipment</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>40</td>
<td>ENVIRONMENTAL CONTROL EQUIP ASSORT</td>
<td></td>
<td>2,571</td>
<td>2,571</td>
<td>2,571</td>
</tr>
<tr>
<td>41</td>
<td>BULK LIQUID EQUIPMENT</td>
<td></td>
<td>8,130</td>
<td>8,130</td>
<td>8,130</td>
</tr>
<tr>
<td>42</td>
<td>TACTICAL FUEL SYSTEMS</td>
<td></td>
<td>2,721</td>
<td>2,721</td>
<td>2,721</td>
</tr>
<tr>
<td>43</td>
<td>DEMOLITION SUPPORT SYSTEMS</td>
<td></td>
<td>5,674</td>
<td>5,674</td>
<td>5,674</td>
</tr>
<tr>
<td>44</td>
<td>POWER EQUIPMENT ASSORTED</td>
<td></td>
<td>7,622</td>
<td>7,622</td>
<td>7,622</td>
</tr>
<tr>
<td>45</td>
<td>SHOP EQ CONTACT MAINTENANCE (SEC)</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Material Handling Equipment</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>46</td>
<td>COMMAND SUPPORT EQUIPMENT</td>
<td></td>
<td>2,349</td>
<td>2,349</td>
<td>2,349</td>
</tr>
<tr>
<td>47</td>
<td>AMPHIBIOUS RAID EQUIPMENT</td>
<td></td>
<td>4,846</td>
<td>4,846</td>
<td>4,846</td>
</tr>
<tr>
<td>48</td>
<td>PHYSICAL SECURITY EQUIPMENT</td>
<td></td>
<td>5,938</td>
<td>5,938</td>
<td>5,938</td>
</tr>
<tr>
<td>49</td>
<td>GARRISON MOBILE ENGR EQUIP</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
### Title I - Procurement

**(Dollars in Thousands)**

<table>
<thead>
<tr>
<th>Line No</th>
<th>Program</th>
<th>FY2002 Budget Request</th>
<th>House Authorized</th>
<th>Senate Authorized</th>
<th>Conference Agreement Change</th>
<th>Authorized Cost</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td>Qty</td>
<td>Cost</td>
<td>Qty</td>
<td>Cost</td>
<td>Qty</td>
</tr>
<tr>
<td>50</td>
<td>MATERIAL HANDLING EQUIP</td>
<td>27,453</td>
<td>27,453</td>
<td>27,453</td>
<td>7,400</td>
<td>34,853</td>
</tr>
<tr>
<td></td>
<td>Tractor, Rubber Tired Articulated Steering, Multi-purpose (TRAM)</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>51</td>
<td>FIRST DESTINATION TRANSPORTATION</td>
<td>9,340</td>
<td>9,340</td>
<td>9,340</td>
<td>[7,400]</td>
<td>9,340</td>
</tr>
<tr>
<td></td>
<td>General Property</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>52</td>
<td>FIELD MEDICAL EQUIPMENT</td>
<td>7,530</td>
<td>7,530</td>
<td>7,530</td>
<td>7,530</td>
<td>7,530</td>
</tr>
<tr>
<td>53</td>
<td>TRAINING DEVICES</td>
<td>30,566</td>
<td>30,566</td>
<td>30,566</td>
<td>30,566</td>
<td>30,566</td>
</tr>
<tr>
<td>54</td>
<td>CONTAINER FAMILY</td>
<td>5,909</td>
<td>13,309</td>
<td>5,909</td>
<td>5,909</td>
<td>5,909</td>
</tr>
<tr>
<td></td>
<td>Tractor, Rubber Tired Articulated Steering, Multi-purpose (TRAM) SLEEP</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>55</td>
<td>FAMILY OF CONSTRUCTION EQUIPMENT</td>
<td>8,281</td>
<td>25,281</td>
<td>8,281</td>
<td>17,000</td>
<td>25,281</td>
</tr>
<tr>
<td></td>
<td>D-7G Dozer / Scraper / Grader Remanufacture</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>56</td>
<td>FAMILY OF INTERNALLY TRANSPORTABLE VEHICLE (ILV)</td>
<td>4,852</td>
<td>4,852</td>
<td>4,852</td>
<td>[17,000]</td>
<td>[17,000]</td>
</tr>
<tr>
<td>57</td>
<td>RAPID DEPLOYABLE KITCHEN</td>
<td>5,947</td>
<td>5,947</td>
<td>5,947</td>
<td>5,947</td>
<td>5,947</td>
</tr>
<tr>
<td></td>
<td>Other Support</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>58</td>
<td>MODIFICATION KITS</td>
<td>11,892</td>
<td>11,892</td>
<td>11,892</td>
<td>11,892</td>
<td>11,892</td>
</tr>
<tr>
<td>59</td>
<td>ITEMS LESS THAN $5 MILLION</td>
<td>7,684</td>
<td>7,684</td>
<td>7,684</td>
<td>7,684</td>
<td>7,684</td>
</tr>
<tr>
<td>60</td>
<td>CANCELED ACCOUNT ADJUSTMENT (M)</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
## Title I - Procurement

(Dollars in Thousands)

<table>
<thead>
<tr>
<th>Line No</th>
<th>Program</th>
<th>FY 2002 Budget Request</th>
<th>House Authorized</th>
<th>Senate Authorized</th>
<th>Conference Agreement</th>
<th>Authorized</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td>Qty</td>
<td>Cost</td>
<td>Qty</td>
<td>Cost</td>
<td>Qty</td>
</tr>
<tr>
<td>61</td>
<td>SPARES AND REPAIR PARTS</td>
<td>26,649</td>
<td>26,649</td>
<td>26,649</td>
<td>26,649</td>
<td></td>
</tr>
<tr>
<td>61a</td>
<td>Management Reform Initiatives</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>(1,487)</td>
</tr>
<tr>
<td></td>
<td><strong>Total - Procurement, Marine Corps</strong></td>
<td>981,724</td>
<td>1,025,624</td>
<td>981,724</td>
<td>32,913</td>
<td>1,014,637</td>
</tr>
</tbody>
</table>
The budget request for fiscal year 2002 included an authorization of $10,744.5 million for Aircraft Procurement, Air Force in the Department of Defense.

The Senate bill would authorize $10,893.0 million.

The House amendment would authorize $10,705.7 million.

The conferees recommended an authorization of $10,789.2 million. Unless noted explicitly in the statement of managers, all changes are made without prejudice.
## Title I - Procurement

(Dollars in Thousands)

<table>
<thead>
<tr>
<th>Line</th>
<th>Program</th>
<th>FY 2002 Budget Request</th>
<th>House Authorized</th>
<th>Senate Authorized</th>
<th>Conference Agreement Change</th>
<th>Authorized</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td>Qty</td>
<td>Cost</td>
<td>Qty</td>
<td>Cost</td>
<td>Qty</td>
</tr>
<tr>
<td>1</td>
<td>F-22 RAPTOR</td>
<td>13</td>
<td>2,658,153</td>
<td>13</td>
<td>2,658,153</td>
<td>13</td>
</tr>
<tr>
<td>2</td>
<td>F-22 RAPTOR (AP-CY)</td>
<td></td>
<td>379,159</td>
<td></td>
<td>379,159</td>
<td></td>
</tr>
<tr>
<td>3</td>
<td>F-15A</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>4</td>
<td>F-15A (AP-CY)</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>5</td>
<td>F-16A (MYP)</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>6</td>
<td>F-16A (MYP) (AP-CY)</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>7</td>
<td>C-17A (MYP)</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Transfer to Support 15 C-17s in FY 03</td>
<td>15</td>
<td>2,875,775</td>
<td>15</td>
<td>2,839,775</td>
<td>15</td>
</tr>
<tr>
<td>8</td>
<td>C-17A (MYP) (AP-CY)</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Transfer to Support 15 C-17s in FY 03</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>9</td>
<td>C-17 ICS</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>10</td>
<td>E-130J</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>11</td>
<td>C-130J</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Additional Aircraft</td>
<td>2</td>
<td>221,809</td>
<td>2</td>
<td>221,809</td>
<td>3</td>
</tr>
<tr>
<td></td>
<td>Spares &amp; Support</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Maintenance Training Devices</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
### Title I - Procurement

(Dollars in Thousands)

<table>
<thead>
<tr>
<th>Line No</th>
<th>Program</th>
<th>FY 2002 Budget Request</th>
<th>House Authorized</th>
<th>Senate Authorized</th>
<th>Conference Agreement Change</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td>Qty</td>
<td>Cost</td>
<td>Qty</td>
<td>Cost</td>
</tr>
<tr>
<td>12</td>
<td>JPATS</td>
<td></td>
<td></td>
<td>48</td>
<td>228,409</td>
</tr>
<tr>
<td></td>
<td>Transfer from ANP - Fix USAF JPATS Pricing Problem</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>13</td>
<td>V-22 OSPREY</td>
<td></td>
<td></td>
<td></td>
<td>95,110</td>
</tr>
<tr>
<td>14</td>
<td>V-22 OSPREY (AP-CY)</td>
<td></td>
<td></td>
<td>14</td>
<td>9,991</td>
</tr>
<tr>
<td>15</td>
<td>C-32H FEST/DEST AIRCRAFT</td>
<td></td>
<td></td>
<td>1</td>
<td>72,451</td>
</tr>
<tr>
<td>16</td>
<td>CIVIL AIR PATROL A/C</td>
<td></td>
<td></td>
<td>27</td>
<td>2,629</td>
</tr>
<tr>
<td>17</td>
<td>OPERATIONAL SUPPORT AIRCRAFT</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>18</td>
<td>TARGET DRONES</td>
<td></td>
<td></td>
<td>18</td>
<td>35,484</td>
</tr>
<tr>
<td>19</td>
<td>C-40 ANG</td>
<td></td>
<td></td>
<td>19</td>
<td>19,000</td>
</tr>
<tr>
<td>20</td>
<td>F-130H</td>
<td></td>
<td></td>
<td>20</td>
<td>283,202</td>
</tr>
<tr>
<td>21</td>
<td>E-8C</td>
<td></td>
<td></td>
<td>21</td>
<td>49,000</td>
</tr>
<tr>
<td>22</td>
<td>E-8C (AP-CY)</td>
<td></td>
<td></td>
<td>22</td>
<td>85,427</td>
</tr>
<tr>
<td>23</td>
<td>E-8C ICS</td>
<td></td>
<td></td>
<td>23</td>
<td></td>
</tr>
<tr>
<td>24</td>
<td>HAEOHAV</td>
<td></td>
<td></td>
<td>24</td>
<td></td>
</tr>
</tbody>
</table>
### Title 1 - Procurement

(Dollars in Thousands)

<table>
<thead>
<tr>
<th>Line</th>
<th>Program</th>
<th>FY 2002 Budget Request</th>
<th>House Authorized</th>
<th>Senate Authorized</th>
<th>Conference Agreement</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Qty</td>
<td>Cost</td>
<td>Qty</td>
<td>Cost</td>
<td>Qty</td>
</tr>
<tr>
<td>25</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>26</td>
<td>HAEUAV (AP-CY)</td>
<td>33,500</td>
<td>33,500</td>
<td>33,500</td>
<td>33,500</td>
</tr>
<tr>
<td></td>
<td>PREDATOR UAV</td>
<td>6</td>
<td>19,632</td>
<td>6</td>
<td>39,632</td>
</tr>
<tr>
<td></td>
<td>Predator B Air Vehicles</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Additional Air Attack Reserve Air Vehicles</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Modification of Inservice Aircraft</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Strategic Aircraft</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>27</td>
<td>B-2A</td>
<td>11,858</td>
<td>44,858</td>
<td>11,858</td>
<td>13,500</td>
</tr>
<tr>
<td></td>
<td>SATCOM Upgrades</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>28</td>
<td>B-1B</td>
<td>95,493</td>
<td>37,493</td>
<td>95,493</td>
<td>95,493</td>
</tr>
<tr>
<td></td>
<td>Transfer to O&amp;M, ANG</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>29</td>
<td>B-52</td>
<td>3,548</td>
<td>3,548</td>
<td>3,548</td>
<td>3,548</td>
</tr>
<tr>
<td></td>
<td>A1 Q-272 ECM Upgrades</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>30</td>
<td>F-117</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>AF-requested realignment of funds from</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>classified line</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Tactical Aircraft</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>31</td>
<td>A-10</td>
<td>18,547</td>
<td>18,547</td>
<td>18,547</td>
<td>18,547</td>
</tr>
</tbody>
</table>
## Title 1 - Procurement
(Dollars in Thousands)

<table>
<thead>
<tr>
<th>Line No</th>
<th>Program Description</th>
<th>FY 2002 Budget Request</th>
<th>House Authorized</th>
<th>Senate Authorized</th>
<th>Conference Agreement Change</th>
<th>Authorized</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td>Qty</td>
<td>Cost</td>
<td>Qty</td>
<td>Cost</td>
<td>Qty</td>
</tr>
<tr>
<td>32</td>
<td>F-15</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>F-15E Link 16</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>F100-PW-220E Engine Upgrades</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Additional ALQ-135 Band 1.5 Internal Countermeasures Systems</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>33</td>
<td>F-16</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Advance Concept Ejection Seat (ACES) II Upgrade</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>F100 PW 229 Engines</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>34</td>
<td>T/AT-37</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Airlift Aircraft</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>35</td>
<td>C-5</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>36</td>
<td>C-9</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>37</td>
<td>C-17A</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Training Evaluation Performance Aircraft Training Set (TEPA TS)</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Trainer Cock Concurrency Upgrades</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Combined Engine/Engine Cowling Trainer</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>38</td>
<td>C-21</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>39</td>
<td>C-22</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>40</td>
<td>C-32A</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
## Title I - Procurement

(Dollars in Thousands)

<table>
<thead>
<tr>
<th>Line No</th>
<th>Program</th>
<th>FY 2002 Budget Request</th>
<th>House Authorized</th>
<th>Senate Authorized</th>
<th>Conference Agreement Authorized</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td>Qty</td>
<td>Cost</td>
<td>Qty</td>
<td>Cost</td>
</tr>
<tr>
<td>41</td>
<td>C-37A</td>
<td>379</td>
<td>379</td>
<td>379</td>
<td>379</td>
</tr>
<tr>
<td>42</td>
<td>C-141</td>
<td>825</td>
<td>825</td>
<td>825</td>
<td>825</td>
</tr>
<tr>
<td></td>
<td>Trainer Aircraft</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>43</td>
<td>T-1</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>44</td>
<td>T-3 (EFS) AIRCRAFT</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>45</td>
<td>T-38</td>
<td>144,726</td>
<td>144,726</td>
<td>144,726</td>
<td>144,726</td>
</tr>
<tr>
<td>46</td>
<td>T-41 AIRCRAFT</td>
<td>90</td>
<td>90</td>
<td>90</td>
<td>90</td>
</tr>
<tr>
<td>47</td>
<td>T-43</td>
<td>3,750</td>
<td>3,750</td>
<td>3,750</td>
<td>3,750</td>
</tr>
<tr>
<td></td>
<td>Other Aircraft</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>48</td>
<td>KC-10A (ATCA)</td>
<td>31,249</td>
<td>31,249</td>
<td>31,249</td>
<td>31,249</td>
</tr>
<tr>
<td>49</td>
<td>C-12</td>
<td>412</td>
<td>412</td>
<td>412</td>
<td>412</td>
</tr>
<tr>
<td>50</td>
<td>C-18</td>
<td>830</td>
<td>830</td>
<td>830</td>
<td>830</td>
</tr>
<tr>
<td>51</td>
<td>C-20 MODS</td>
<td>635</td>
<td>635</td>
<td>635</td>
<td>635</td>
</tr>
<tr>
<td>52</td>
<td>VC-25A MOD</td>
<td>14,165</td>
<td>14,165</td>
<td>14,165</td>
<td>14,165</td>
</tr>
<tr>
<td>53</td>
<td>C-130</td>
<td>57,936</td>
<td>57,936</td>
<td>57,936</td>
<td>57,936</td>
</tr>
<tr>
<td>54</td>
<td>C-135</td>
<td>231,066</td>
<td>231,066</td>
<td>231,066</td>
<td>231,066</td>
</tr>
<tr>
<td></td>
<td>KC-135E Re-engining</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>55</td>
<td>DARPA</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Cobra Ball Dual Sided 3-Channel Optics &amp; SIGINT Collection</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

[25,500]

[11,000]
<table>
<thead>
<tr>
<th>Line No</th>
<th>Program</th>
<th>FY 2002 Budget Request</th>
<th>House Authorized</th>
<th>Senate Authorized</th>
<th>Conference Agreement Change</th>
<th>Conference Agreement Authorized</th>
</tr>
</thead>
<tbody>
<tr>
<td>56</td>
<td>V-3</td>
<td>92,520</td>
<td>92,520</td>
<td>92,520</td>
<td></td>
<td>92,520</td>
</tr>
<tr>
<td>57</td>
<td>V-4</td>
<td>45,539</td>
<td>45,539</td>
<td>45,539</td>
<td></td>
<td>45,539</td>
</tr>
<tr>
<td>58</td>
<td>E-8</td>
<td>82,996</td>
<td>82,996</td>
<td>71,496</td>
<td>(11,500)</td>
<td>71,496</td>
</tr>
<tr>
<td></td>
<td>Transfer to PE 27581F (DODAF 138) - SATCOM Kit Development</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Transfer to PE 27581F (DODAF 138) - Global Air Traffic Management (GATM) - Radar Integration</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>59</td>
<td>H-1</td>
<td>288</td>
<td>288</td>
<td>288</td>
<td></td>
<td>288</td>
</tr>
<tr>
<td>60</td>
<td>H-60</td>
<td>26,519</td>
<td>31,019</td>
<td>26,519</td>
<td></td>
<td>26,519</td>
</tr>
<tr>
<td></td>
<td>H-60G F1R</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>61</td>
<td>OTHER AIRCRAFT</td>
<td>50,954</td>
<td>55,754</td>
<td>50,954</td>
<td></td>
<td>50,954</td>
</tr>
<tr>
<td></td>
<td>Fixed Aircrew Standardized Seat</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>62</td>
<td>PREDATOR MODS</td>
<td>10,384</td>
<td>16,384</td>
<td>10,384</td>
<td>6,000</td>
<td>16,384</td>
</tr>
<tr>
<td></td>
<td>Structured R&amp;M Program</td>
<td></td>
<td></td>
<td></td>
<td>[6,000]</td>
<td>[6,000]</td>
</tr>
<tr>
<td></td>
<td>Other Modifications</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>63</td>
<td>CLASSIFIED PROJECTS</td>
<td>23,227</td>
<td>23,227</td>
<td>23,227</td>
<td></td>
<td>23,227</td>
</tr>
<tr>
<td>64</td>
<td>SPECIAL PROJECTS</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Aircraft Spares and Repair Parts</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>65</td>
<td>SPARES/REPAIR PARTS</td>
<td>321,539</td>
<td>295,149</td>
<td>295,139</td>
<td>(26,390)</td>
<td>295,149</td>
</tr>
<tr>
<td></td>
<td>CV-22 Spares</td>
<td></td>
<td></td>
<td></td>
<td>[26,390]</td>
<td>[26,400]</td>
</tr>
</tbody>
</table>
### Title I - Procurement

(Dollars in Thousands)

<table>
<thead>
<tr>
<th>Line No</th>
<th>Program</th>
<th>FY 2002 Budget Request</th>
<th>House Authorized</th>
<th>Senate Authorized</th>
<th>Conference Agreement Change</th>
<th>Authorized</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td>Qty</td>
<td>Cost</td>
<td>Qty</td>
<td>Cost</td>
<td>Qty</td>
</tr>
<tr>
<td>66</td>
<td>Aircraft Support Equipment and Facilities</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>AIRCRAFT SUPPORT EQ &amp; FACILITIES</td>
<td>211,334</td>
<td>205,934</td>
<td>211,334</td>
<td></td>
<td>211,334</td>
</tr>
<tr>
<td></td>
<td>Over budgeted for reprogramming equipment / electronic tester</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Post Production Support</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>67</td>
<td>A-10</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>68</td>
<td>B-2A</td>
<td>12,647</td>
<td>12,647</td>
<td>12,647</td>
<td></td>
<td>12,647</td>
</tr>
<tr>
<td>69</td>
<td>B-2A</td>
<td>38,612</td>
<td>38,612</td>
<td>38,612</td>
<td></td>
<td>38,612</td>
</tr>
<tr>
<td>70</td>
<td>B-1A</td>
<td>6,400</td>
<td>6,400</td>
<td>6,400</td>
<td></td>
<td>6,400</td>
</tr>
<tr>
<td>71</td>
<td>C-130</td>
<td>1,372</td>
<td>4,172</td>
<td>1,372</td>
<td></td>
<td>1,372</td>
</tr>
<tr>
<td></td>
<td>MC-130P Weapon System Trainer Software Upgrade</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>MC-130H Simulator Visual Scene and Sensor Display Upgrade</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>72</td>
<td>F-4</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>73</td>
<td>F-15 POST PRODUCTION SUPPORT</td>
<td>7,409</td>
<td>7,409</td>
<td>7,409</td>
<td></td>
<td>7,409</td>
</tr>
<tr>
<td>74</td>
<td>F-16 POST PRODUCTION SUPPORT</td>
<td>14,542</td>
<td>14,542</td>
<td>14,542</td>
<td></td>
<td>14,542</td>
</tr>
<tr>
<td>75</td>
<td>INDUSTRIAL PREPAREDNESS</td>
<td>25,711</td>
<td>25,711</td>
<td>25,711</td>
<td></td>
<td>25,711</td>
</tr>
<tr>
<td></td>
<td>Cost growth - rehabilitation / assessment</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>76</td>
<td>WAR CONSUMABLES</td>
<td>44,369</td>
<td>44,369</td>
<td>44,369</td>
<td></td>
<td>44,369</td>
</tr>
</tbody>
</table>
### Title I - Procurement

(Dollars in Thousands)

<table>
<thead>
<tr>
<th>Line</th>
<th>Program</th>
<th>FY 2002 Budget Request</th>
<th>House Authorized</th>
<th>Senate Authorized</th>
<th>Conference Agreement Change</th>
<th>Authorized</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td>Qty</td>
<td>Cost</td>
<td>Qty</td>
<td>Cost</td>
<td>Qty</td>
</tr>
<tr>
<td>77</td>
<td>MISC PRODUCTION CHARGES</td>
<td>324,986</td>
<td>324,986</td>
<td>324,986</td>
<td>324,986</td>
<td>324,986</td>
</tr>
<tr>
<td>78</td>
<td>COMMON ECM EQUIPMENT</td>
<td>1,200</td>
<td>1,200</td>
<td>1,200</td>
<td>1,200</td>
<td>1,200</td>
</tr>
<tr>
<td>79</td>
<td>DARPA</td>
<td>90,329</td>
<td>90,329</td>
<td>93,329</td>
<td>93,329</td>
<td>3,000</td>
</tr>
<tr>
<td></td>
<td>U-2 SYERS P3H Spares</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>999</td>
<td>CLASSIFIED PROGRAMS</td>
<td>27,620</td>
<td>27,620</td>
<td>27,620</td>
<td>27,620</td>
<td>(27,620)</td>
</tr>
<tr>
<td></td>
<td>AF-requested realignment of funds - APAF 30</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td><strong>Total - Aircraft Procurement, Air Force</strong></td>
<td>10,744,458</td>
<td>10,705,667</td>
<td>10,892,957</td>
<td>44,709</td>
<td>10,789,467</td>
</tr>
</tbody>
</table>
High altitude endurance unmanned aerial vehicle

The budget request included $33.5 million for advanced procurement of additional Global Hawk high altitude endurance unmanned aerial vehicles (HAE-UAVs).

The Senate bill and the House amendment would authorize the budget request.

The House Intelligence Authorization for Fiscal Year 2002 (H.R. 2883) would not authorize any of the requested funds.

The conferees agree to authorize the budget request.

The conferees are aware that much has been evolving in the Global Hawk HAE-UAV program in recent months. At the time of the budget request, the plan for these funds was to procure HAE-UAVs in the less capable Block 5 configuration, which contributed to the House recommendation. The accelerated program that is now underway would make these funds available for advanced procurement of the Block 10 configuration, which will provide the electrical power, cooling, and interfaces for sensor packages, which should meet the evolving Global Hawk requirement. These changes have addressed some of the concerns expressed in the House report (H. Rept. 107–219).

Another concern shared by the conferees is the fact that the requirements for this system are evolving at the very time that the program is being accelerated. The conferees would expect requirements documentation with completed mission area annexes to be the basis for future program decisions. The conferees want to ensure that existing intelligence, surveillance, and reconnaissance (ISR) assets, such as the U-2, continue to be operated and upgraded as necessary until such time that any new systems, like the Global Hawk HAE-UAV and its sensors, are fully tested and integrated with the required ground architecture and satisfy the operational mission requirements.

Finally, the conferees expect, before these advanced procurement funds are released, that the milestone decision authority approve this production in an acquisition decision memorandum that approves a coordinated and integrated acquisition strategy, taking into account the requirement, platform and sensor integration, ground architecture plan, and test plan for this spiral of the program.

Missile Procurement, Air Force—Overview

The budget request for fiscal year 2002 included an authorization of $3,233.5 million for Missile Procurement, Air Force in the Department of Defense.

The Senate bill would authorize $3,286.1 million.

The House amendment would authorize $3,226.3 million.

The conferees recommended an authorization of $3,222.6 million. Unless noted explicitly in the statement of managers, all changes are made without prejudice.
<table>
<thead>
<tr>
<th>Line</th>
<th>Program</th>
<th>FY 2002 Budget Request</th>
<th>House Authorized</th>
<th>Senate Authorized</th>
<th>Conference Agreement</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td>Qty</td>
<td>Cost</td>
<td>Qty</td>
<td>Cost</td>
</tr>
<tr>
<td>1</td>
<td>MISSILE REPLACEMENT EQ-BALLISTIC</td>
<td></td>
<td>25,124</td>
<td>25,124</td>
<td>25,124</td>
</tr>
<tr>
<td>2</td>
<td>ADVANCED CRUISE MISSILE</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>3</td>
<td>JASSM</td>
<td></td>
<td></td>
<td>76</td>
<td>45,010</td>
</tr>
<tr>
<td></td>
<td>Budget documents reflect program total of $43,6M</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>4</td>
<td>JOINT STANDOFF WEAPON</td>
<td></td>
<td></td>
<td>104</td>
<td>54,641</td>
</tr>
<tr>
<td>5</td>
<td>SIDEWINDER (AIM-9X)</td>
<td></td>
<td></td>
<td>138</td>
<td>38,923</td>
</tr>
<tr>
<td>6</td>
<td>AGM-130 POWERED GBU-15</td>
<td></td>
<td></td>
<td>190</td>
<td>104,701</td>
</tr>
<tr>
<td>7</td>
<td>AMRAAM</td>
<td></td>
<td></td>
<td>3,040</td>
<td>2,040</td>
</tr>
<tr>
<td></td>
<td>Budget documents reflect $2 0M program requirement</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>8</td>
<td>INDUSTRIAL FACILITIES</td>
<td></td>
<td></td>
<td>3,040</td>
<td>1,000</td>
</tr>
<tr>
<td>9</td>
<td>MISSILE REPLACEMENT EQ-OTHER</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Modification of Inservice Missiles</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>10</td>
<td>ADVANCED CRUISE MISSILE</td>
<td></td>
<td></td>
<td>784</td>
<td>784</td>
</tr>
</tbody>
</table>
### Title I - Procurement

**Dollars in Thousands**

<table>
<thead>
<tr>
<th>Line No</th>
<th>Program Description</th>
<th>FY 2002 Budget Request</th>
<th>House Authorized</th>
<th>Senate Authorized</th>
<th>Conference Agreement</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td>Qty</td>
<td>Cost</td>
<td>Qty</td>
<td>Cost</td>
</tr>
<tr>
<td>11</td>
<td>SIDEWINDER (AIM-9X)</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>12</td>
<td>MM III MODIFICATIONS</td>
<td>552,678</td>
<td>552,678</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Batteries for MM III Launch Facilities</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>13</td>
<td>AGM 65D MAVERICK</td>
<td>966</td>
<td>966</td>
<td></td>
<td></td>
</tr>
<tr>
<td>14</td>
<td>AIR LAUNCH CRUISE MISSILE</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>15</td>
<td>PEACEKEEPER (M-X)</td>
<td>5,146</td>
<td>5,146</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Purchase Equipment for Peacekeeper Retirement</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>16</td>
<td>MODIFICATIONS UNDER $5 0M</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>17</td>
<td>SPARES AND REPAIR PARTS</td>
<td>61,844</td>
<td>56,944</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>LGM-118 cruizing equipment</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Other Support</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>18</td>
<td>WIDEBAND GAPFILLER SATELLITES</td>
<td>2</td>
<td>377,509</td>
<td>2</td>
<td>377,509</td>
</tr>
<tr>
<td>19</td>
<td>WIDEBAND GAPFILLER SATELLITES (AP-CY)</td>
<td>13,447</td>
<td>13,447</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Exercise Unlimited Options to Buy 3 More Satellites</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>20</td>
<td>SPACEBORNE EQUIP (COMSFC)</td>
<td>9,332</td>
<td>9,332</td>
<td></td>
<td></td>
</tr>
<tr>
<td>21</td>
<td>GLOBAL POSITIONING (SPACE)</td>
<td>177,719</td>
<td>177,719</td>
<td></td>
<td></td>
</tr>
<tr>
<td>22</td>
<td>GLOBAL POSITIONING (SPACE) (AP-CY)</td>
<td>23,760</td>
<td>23,760</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
### Title I - Procurement

(Dollars in Thousands)

<table>
<thead>
<tr>
<th>Line No.</th>
<th>Program</th>
<th>FY 2002 Budget Request</th>
<th>House Authorized</th>
<th>Senate Authorized</th>
<th>Conference Agreement Change</th>
<th>Authorized</th>
</tr>
</thead>
<tbody>
<tr>
<td>23</td>
<td>NUDET DETECTION SYSTEM</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Transfer NUDETS to Air Force Funding</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>24</td>
<td>DEF METEOROLOGICAL SAT PROG(SPACE)</td>
<td>47,580</td>
<td>47,580</td>
<td>47,580</td>
<td></td>
<td></td>
</tr>
<tr>
<td>25</td>
<td>DEFENSE SUPPORT PROGRAM(SPACE)</td>
<td>112,456</td>
<td>112,456</td>
<td>112,456</td>
<td></td>
<td></td>
</tr>
<tr>
<td>26</td>
<td>DEFENSE SATELLITE COMM SYSTEM</td>
<td>27,004</td>
<td>27,004</td>
<td>27,004</td>
<td></td>
<td></td>
</tr>
<tr>
<td>27</td>
<td>TITAN SPACE BOOSTER(SPACE)</td>
<td>385,298</td>
<td>385,298</td>
<td>385,298</td>
<td></td>
<td></td>
</tr>
<tr>
<td>28</td>
<td>EVOLVED EXPENDABLE LAUNCH VEHICLE</td>
<td>98,007</td>
<td>1</td>
<td>98,007</td>
<td></td>
<td></td>
</tr>
<tr>
<td>29</td>
<td>MEDIUM LAUNCH VEHICLE(SPACE)</td>
<td>42,355</td>
<td>1</td>
<td>42,355</td>
<td></td>
<td></td>
</tr>
<tr>
<td>30</td>
<td>SBIR HIGH(SPACE)(AP-CY)</td>
<td>93,752</td>
<td>1</td>
<td>93,752</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**Deficiency - serious hardware & software design problems**

**Special Programs**

<table>
<thead>
<tr>
<th>Line No.</th>
<th>Program</th>
<th>FY 2002 Budget Request</th>
<th>House Authorized</th>
<th>Senate Authorized</th>
<th>Conference Agreement Change</th>
<th>Authorized</th>
</tr>
</thead>
<tbody>
<tr>
<td>31</td>
<td>CANCELED ACCOUNT</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>32</td>
<td>SPECIAL PROGRAMS</td>
<td>803,946</td>
<td>803,946</td>
<td>784,846</td>
<td></td>
<td></td>
</tr>
<tr>
<td>33</td>
<td>SPECIAL UPDATE PROGRAMS</td>
<td>128,514</td>
<td>128,514</td>
<td>128,514</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**Total - Missile Procurement, Air Force**

<table>
<thead>
<tr>
<th>FY 2002 Budget Request</th>
<th>House Authorized</th>
<th>Senate Authorized</th>
<th>Conference Agreement Change</th>
<th>Authorized</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

3,233,536 3,226,336 3,286,136 (10,900) 3,222,636
The budget request for fiscal year 2002 included an authorization of $865.3 million for Procurement of Ammunition, Air Force in the Department of Defense. The Senate bill would authorize $885.3 million. The House amendment would authorize $871.3 million.

The conferees recommended an authorization of $881.8 million. Unless noted explicitly in the statement of managers, all changes are made without prejudice.
## Title I - Procurement

(Dollars in Thousands)

<table>
<thead>
<tr>
<th>Line</th>
<th>Program</th>
<th>FY 2002 Budget Request</th>
<th>House Authorized</th>
<th>Senate Authorized</th>
<th>Conference Agreement Change</th>
<th>Authorized</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td>Qty</td>
<td>Cost</td>
<td>Qty</td>
<td>Cost</td>
<td>Qty</td>
</tr>
<tr>
<td>1</td>
<td>Rockets</td>
<td>29,580</td>
<td>29,580</td>
<td>49,580</td>
<td>[20,000]</td>
<td>15,000</td>
</tr>
<tr>
<td></td>
<td>Hydra 70 Cartridges</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>2</td>
<td>Cartridges</td>
<td>122,907</td>
<td>122,907</td>
<td>122,907</td>
<td></td>
<td></td>
</tr>
<tr>
<td>3</td>
<td>Practice Bombs</td>
<td>50,230</td>
<td>53,230</td>
<td>50,230</td>
<td></td>
<td>1,000</td>
</tr>
<tr>
<td></td>
<td>BDU-56 Cast Ductile Iron</td>
<td></td>
<td></td>
<td></td>
<td>[3,000]</td>
<td></td>
</tr>
<tr>
<td>4</td>
<td>General Purpose Bombs</td>
<td>110,522</td>
<td>113,522</td>
<td>110,522</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>MK-84 Cast Ductile Iron</td>
<td></td>
<td></td>
<td></td>
<td>[3,000]</td>
<td></td>
</tr>
<tr>
<td>5</td>
<td>CAWCF Closure Costs</td>
<td>7,946</td>
<td>7,946</td>
<td>7,946</td>
<td></td>
<td></td>
</tr>
<tr>
<td>6</td>
<td>Sensor-Fuzed Weapon</td>
<td>300</td>
<td>109,521</td>
<td>300</td>
<td>109,521</td>
<td>300</td>
</tr>
<tr>
<td>7</td>
<td>Joint Direct Attack Munition</td>
<td>8383</td>
<td>187,257</td>
<td>8383</td>
<td>187,257</td>
<td>8383</td>
</tr>
<tr>
<td>8</td>
<td>Wind Corrected Munitions Dispenser</td>
<td>6838</td>
<td>111,853</td>
<td>6838</td>
<td>111,853</td>
<td>6838</td>
</tr>
<tr>
<td>9</td>
<td>Flare, IR MJU-7I</td>
<td>18,170</td>
<td>18,170</td>
<td>18,170</td>
<td></td>
<td></td>
</tr>
<tr>
<td>10</td>
<td>CAD/PAD</td>
<td>1,421</td>
<td>1,421</td>
<td>1,421</td>
<td></td>
<td></td>
</tr>
<tr>
<td>11</td>
<td>Explosive Ordnance Disposal</td>
<td>2,727</td>
<td>2,727</td>
<td>2,727</td>
<td></td>
<td></td>
</tr>
<tr>
<td>12</td>
<td>Initial Spares</td>
<td>211</td>
<td>211</td>
<td>211</td>
<td></td>
<td></td>
</tr>
<tr>
<td>13</td>
<td>Modifications &lt;5M</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

(Note: The table above represents the procurement data for various categories and their authorized costs for FY 2002.)
### Title I - Procurement

(Dollars in Thousands)

<table>
<thead>
<tr>
<th>Line No</th>
<th>Program</th>
<th>FY 2002 Budget Request</th>
<th>House Authorized</th>
<th>Senate Authorized</th>
<th>Conference Agreement</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td>Qty</td>
<td>Cost</td>
<td>Qty</td>
<td>Cost</td>
</tr>
<tr>
<td>13</td>
<td>ITEMS LESS THAN $5,000,000 Fuze</td>
<td>1,633</td>
<td>1,633</td>
<td>1,633</td>
<td></td>
</tr>
<tr>
<td>15</td>
<td>JOINT PROGRAMMABLE FUSE(JPF)</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Weapons</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>16</td>
<td>SMALL ARMS</td>
<td>2,401</td>
<td>2,401</td>
<td>2,401</td>
<td></td>
</tr>
</tbody>
</table>

Total - Procurement of Ammunition, Air Force

<table>
<thead>
<tr>
<th></th>
<th>Qty</th>
<th>Cost</th>
<th>Qty</th>
<th>Cost</th>
<th>Qty</th>
<th>Cost</th>
<th>Qty</th>
<th>Cost</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>865,344</td>
<td>871,344</td>
<td>885,344</td>
<td>16,500</td>
<td>881,844</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
Other Procurement, Air Force—Overview

The budget request for fiscal year 2002 included an authorization of $8,159.5 million for Other Procurement, Air Force in the Department of Defense.

The Senate bill would authorize $8,081.7 million.

The House amendment would authorize $8,250.8 million.

The conferees recommended an authorization of $8,196.0 million. Unless noted explicitly in the statement of managers, all changes are made without prejudice.
### Title I - Procurement

(Dollars in Thousands)

<table>
<thead>
<tr>
<th>Line No.</th>
<th>Program</th>
<th>FY 2002 Budget Request</th>
<th>House Authorized</th>
<th>Senate Authorized</th>
<th>Conference Agreement</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>SEDAN, 4 DR 4X2</td>
<td>54</td>
<td>686</td>
<td>54</td>
<td>686</td>
</tr>
<tr>
<td>2</td>
<td>STATION WAGON, 4X2</td>
<td>8</td>
<td>124</td>
<td>8</td>
<td>124</td>
</tr>
<tr>
<td>3</td>
<td>BUSES</td>
<td>72</td>
<td>4,307</td>
<td>72</td>
<td>4,307</td>
</tr>
<tr>
<td>4</td>
<td>AMBULANCES</td>
<td>3</td>
<td>252</td>
<td>3</td>
<td>252</td>
</tr>
<tr>
<td>5</td>
<td>LAW ENFORCEMENT VEHICLE</td>
<td>79</td>
<td>1,531</td>
<td>79</td>
<td>1,531</td>
</tr>
<tr>
<td>6</td>
<td>ARMORED VEHICLE</td>
<td>3</td>
<td>684</td>
<td>3</td>
<td>684</td>
</tr>
<tr>
<td></td>
<td>Cargo and Utility Vehicles</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>7</td>
<td>TRUCK, CARGO-UTILITY, 3/4 T, 4</td>
<td>5,733</td>
<td></td>
<td>5,733</td>
<td>5,733</td>
</tr>
<tr>
<td>8</td>
<td>TRUCK MULTI-STOP 1 TON 4X2</td>
<td>10,367</td>
<td></td>
<td>10,367</td>
<td>10,367</td>
</tr>
<tr>
<td>9</td>
<td>FAMILY MEDIUM TACTICAL VEHICLE</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>10</td>
<td>HIGH MOBILITY VEHICLE (MVP)</td>
<td>6,390</td>
<td></td>
<td>6,390</td>
<td>6,390</td>
</tr>
<tr>
<td>11</td>
<td>CAF VEHICLES</td>
<td>785</td>
<td></td>
<td>785</td>
<td>785</td>
</tr>
<tr>
<td>12</td>
<td>ITEMS LESS THAN $5,000,000</td>
<td>34,320</td>
<td></td>
<td>34,320</td>
<td>34,320</td>
</tr>
<tr>
<td></td>
<td>Special Purpose Vehicles</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>13</td>
<td>HMMWV, ARMORED</td>
<td>1,000</td>
<td></td>
<td>1,000</td>
<td>1,000</td>
</tr>
<tr>
<td>14</td>
<td>TRACTOR, TOW, FLIGHTLINE</td>
<td>6,035</td>
<td></td>
<td>6,035</td>
<td>6,035</td>
</tr>
<tr>
<td>15</td>
<td>TRUCK HYDRANT FUEL</td>
<td>5,895</td>
<td></td>
<td>5,895</td>
<td>5,895</td>
</tr>
<tr>
<td>Line No</td>
<td>Program</td>
<td>FY 2002 Budget Request</td>
<td>House Authorized</td>
<td>Senate Authorized</td>
<td>Conference Agreement</td>
</tr>
<tr>
<td>--------</td>
<td>----------------------------------------------</td>
<td>------------------------</td>
<td>------------------</td>
<td>------------------</td>
<td>-----------------------</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Qty</td>
<td>Cost</td>
<td>Qty</td>
<td>Cost</td>
</tr>
<tr>
<td>16</td>
<td>ITEMS LESS THAN $5,000,000</td>
<td>19,818</td>
<td>19,818</td>
<td>19,818</td>
<td>19,818</td>
</tr>
<tr>
<td></td>
<td>Fire Fighting Equipment</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>17</td>
<td>TRUCK CRASH P 19</td>
<td>6,914</td>
<td>6,914</td>
<td>6,914</td>
<td>6,914</td>
</tr>
<tr>
<td>18</td>
<td>ITEMS LESS THAN $5,000,000</td>
<td>5,029</td>
<td>5,029</td>
<td>5,029</td>
<td>5,029</td>
</tr>
<tr>
<td></td>
<td>Material Handling Equipment</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>19</td>
<td>TRUCK, F/L 10,000 LB</td>
<td>44</td>
<td>90,763</td>
<td>44</td>
<td>90,763</td>
</tr>
<tr>
<td>20</td>
<td>60K ARC LOADER</td>
<td>104</td>
<td>53,461</td>
<td>104</td>
<td>53,461</td>
</tr>
<tr>
<td>21</td>
<td>NEXT GENERATION SMALL LOADER</td>
<td>4106</td>
<td>4,106</td>
<td>4106</td>
<td>4,106</td>
</tr>
<tr>
<td>22</td>
<td>ITEMS LESS THAN $5,000,000</td>
<td>2,839</td>
<td>2,839</td>
<td>2,839</td>
<td>2,839</td>
</tr>
<tr>
<td></td>
<td>Base Maintenance Support</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>23</td>
<td>TRUCK, DUMP</td>
<td>12,484</td>
<td>12,484</td>
<td>12,484</td>
<td>12,484</td>
</tr>
<tr>
<td>24</td>
<td>RUNWAY SNOW REMOVAL AND CLEANING</td>
<td>3,360</td>
<td>3,360</td>
<td>3,360</td>
<td>3,360</td>
</tr>
<tr>
<td>25</td>
<td>MODIFICATIONS</td>
<td>11,943</td>
<td>11,943</td>
<td>11,943</td>
<td>11,943</td>
</tr>
<tr>
<td></td>
<td>Canceled Account Adjustments</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Electronics and Telecommunications</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Comm Security Equipment (COMSEC)</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>26</td>
<td>ITEMS LESS THAN $5,000,000</td>
<td>35,188</td>
<td>35,188</td>
<td>35,188</td>
<td>35,188</td>
</tr>
<tr>
<td></td>
<td>Canceled Account Adjustments</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>27</td>
<td>CANCELED ACCOUNT ADJUSTMENTS</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Commodities and Telecommunications</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Comm Security Equipment (COMSEC)</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>28</td>
<td>COMSEC EQUIPMENT</td>
<td>468</td>
<td>468</td>
<td>468</td>
<td>468</td>
</tr>
<tr>
<td>29</td>
<td>MODIFICATIONS (COMSEC)</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Title I - Procurement

(Dollars in Thousands)
<table>
<thead>
<tr>
<th>Line No</th>
<th>Program</th>
<th>FY 2002 Budget Request</th>
<th>House Authorized</th>
<th>Senate Authorized</th>
<th>Conference Agreement</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td>Qty</td>
<td>Cost</td>
<td>Qty</td>
<td>Cost</td>
</tr>
<tr>
<td>30</td>
<td>INTELLIGENCE DATA HANDLING SYSTEM</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>31</td>
<td>INTELLIGENCE TRAINING EQUIPMENT</td>
<td>1,237</td>
<td>1,237</td>
<td>1,237</td>
<td>1,237</td>
</tr>
<tr>
<td>32</td>
<td>INTELLIGENCE COMM EQUIPMENT</td>
<td>1,955</td>
<td>10,755</td>
<td>1,955</td>
<td>1,955</td>
</tr>
<tr>
<td></td>
<td>Upgrades for Senior Scout, ANG</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Data Management Processors</td>
<td>[820]</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Buy &amp; Install HIDS Equipment</td>
<td>[3,600]</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Upgrade 3rd Shelter to Common</td>
<td>[2,800]</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Configuration</td>
<td>[1,600]</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Ground Data Reduction System</td>
<td>[1,600]</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Unallocated</td>
<td>[-20]</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>33</td>
<td>AIR TRAFFIC CTRL/LAND SYS (ATCALS)</td>
<td>4,698</td>
<td>5,198</td>
<td>4,698</td>
<td>4,698</td>
</tr>
<tr>
<td></td>
<td>Tower Communications Upgrades, McEntire ANGB</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>34</td>
<td>NATIONAL AIRSPACE SYSTEM</td>
<td>71,930</td>
<td>71,930</td>
<td>71,930</td>
<td>71,930</td>
</tr>
<tr>
<td>35</td>
<td>THEATER AIR CONTROL SYS IMPROVEMENT</td>
<td>15,057</td>
<td>30,057</td>
<td>15,057</td>
<td>15,057</td>
</tr>
<tr>
<td></td>
<td>AN / TYQ-23 Modular Control Expt (MCE) Tech Insertion &amp; Sustainment</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>36</td>
<td>WEATHER OBSERVATION/FORECAST</td>
<td>33,766</td>
<td>33,766</td>
<td>33,766</td>
<td>33,766</td>
</tr>
<tr>
<td>37</td>
<td>STRATEGIC COMMAND AND CONTROL</td>
<td>21,066</td>
<td>21,066</td>
<td>21,066</td>
<td>21,066</td>
</tr>
<tr>
<td>38</td>
<td>CHEYENNE MOUNTAIN COMPLEX</td>
<td>30,642</td>
<td>30,642</td>
<td>30,642</td>
<td>30,642</td>
</tr>
</tbody>
</table>
## Title I - Procurement

(Dollars in Thousands)

<table>
<thead>
<tr>
<th>Line No</th>
<th>Program</th>
<th>FY 2002 Budget Request</th>
<th>House Authorized</th>
<th>Senate Authorized</th>
<th>Conference Agreement</th>
<th>Authorized</th>
</tr>
</thead>
<tbody>
<tr>
<td>39</td>
<td>TAC SIGINT SUPPORT</td>
<td></td>
<td>976</td>
<td>976</td>
<td>976</td>
<td>976</td>
</tr>
<tr>
<td>40</td>
<td>DRUG INTERDICTON PROGRAM</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Special Comm-Electronics Projects</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>41</td>
<td>GENERAL INFORMATION TECHNOLOGY</td>
<td></td>
<td>56,817</td>
<td>66,817</td>
<td>56,817</td>
<td>56,817</td>
</tr>
<tr>
<td></td>
<td>Spare Parts Production &amp; Reprocnement System (SPARES)</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>42</td>
<td>AF GLOBAL COMMAND &amp; CONTROL SYSTEM</td>
<td></td>
<td>15,151</td>
<td>15,151</td>
<td>15,151</td>
<td>15,151</td>
</tr>
<tr>
<td>43</td>
<td>MOBILITY COMMAND AND CONTROL</td>
<td></td>
<td>8,879</td>
<td>8,879</td>
<td>8,879</td>
<td>8,879</td>
</tr>
<tr>
<td>44</td>
<td>AIR FORCE PHYSICAL SECURITY SYSTEM</td>
<td></td>
<td>62,313</td>
<td>62,313</td>
<td>62,313</td>
<td>62,313</td>
</tr>
<tr>
<td>45</td>
<td>COMBAT TRAINING RANGES</td>
<td></td>
<td>67,585</td>
<td>97,585</td>
<td>67,585</td>
<td>67,585</td>
</tr>
<tr>
<td></td>
<td>Unmanned Threat Emitter (UMTE) Modernization</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>46</td>
<td>MINIMUM ESSENTIAL EMERGENCY COMMUNICATIONS</td>
<td></td>
<td>2,078</td>
<td>2,078</td>
<td></td>
<td></td>
</tr>
<tr>
<td>47</td>
<td>C3 COUNTERMEASURES</td>
<td></td>
<td>9,623</td>
<td>19,623</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Secure Terminal Equipment</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>48</td>
<td>JOINT SURVEILLANCE SYSTEM</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>49</td>
<td>BASE LEVEL DATA AUTO PROGRAM</td>
<td></td>
<td>12,895</td>
<td>12,895</td>
<td></td>
<td></td>
</tr>
<tr>
<td>50</td>
<td>THEATER BATTLE MGT C2 SYSTEM</td>
<td></td>
<td>47,291</td>
<td>47,291</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Air Force Communications</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>51</td>
<td>INFORMATION TRANSMISSION SYSTEM</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Line No.</td>
<td>Program</td>
<td>FY 2002 Budget Request</td>
<td>House Authorized</td>
<td>Senate Authorized</td>
<td>Conference Agreement Change</td>
<td>Conference Agreement Authorized</td>
</tr>
<tr>
<td>---------</td>
<td>----------------------------------------------------------------</td>
<td>------------------------</td>
<td>------------------</td>
<td>-------------------</td>
<td>-----------------------------</td>
<td>--------------------------------</td>
</tr>
<tr>
<td>1</td>
<td></td>
<td>154,097</td>
<td>154,097</td>
<td>182,797</td>
<td>9,000</td>
<td>163,097</td>
</tr>
<tr>
<td>2</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>52</td>
<td>BASE INFORMATION INFRASTRUCTURE</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Fiber Optic Communications Upgrades</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>53</td>
<td>USCENTCOM</td>
<td>10,867</td>
<td>10,867</td>
<td>10,867</td>
<td>10,867</td>
<td>13,336</td>
</tr>
<tr>
<td>54</td>
<td>DEFENSE MESSAGE SYSTEM (DMS)</td>
<td>13,336</td>
<td>13,336</td>
<td>13,336</td>
<td></td>
<td>13,336</td>
</tr>
<tr>
<td></td>
<td>DISA Programs</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>55</td>
<td>SPACE BASED IR SENSOR PROG SPACE</td>
<td>54,347</td>
<td>54,347</td>
<td>54,347</td>
<td></td>
<td>54,347</td>
</tr>
<tr>
<td>56</td>
<td>NAVSTAR GPS SPACE</td>
<td>4,003</td>
<td>4,003</td>
<td>4,003</td>
<td></td>
<td>4,003</td>
</tr>
<tr>
<td>57</td>
<td>DEFENSE METEOROLOGICAL SAT PROGRAM</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>58</td>
<td>NUDET DETECTION SYS (NDS) SPACE</td>
<td>8,470</td>
<td>8,470</td>
<td>8,470</td>
<td></td>
<td>8,470</td>
</tr>
<tr>
<td>59</td>
<td>AF SATELLITE CONTROL NETWORK</td>
<td>29,678</td>
<td>29,678</td>
<td>29,678</td>
<td></td>
<td>29,678</td>
</tr>
<tr>
<td>60</td>
<td>SPACE LIFT RANGE SYSTEM SPACE</td>
<td>132,764</td>
<td>132,764</td>
<td>150,364</td>
<td></td>
<td>132,764</td>
</tr>
<tr>
<td></td>
<td>Range Safety Improvements</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>61</td>
<td>MILSATCOM SPACE</td>
<td>21,367</td>
<td>21,367</td>
<td>21,367</td>
<td></td>
<td>21,367</td>
</tr>
<tr>
<td>62</td>
<td>SPACE MODS SPACE</td>
<td>31,915</td>
<td>31,915</td>
<td>35,515</td>
<td></td>
<td>31,915</td>
</tr>
<tr>
<td></td>
<td>Transfer from PE 35910F (RDAF 186) - Camera Spares</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Organization and Base</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>63</td>
<td>TACTICAL C-E EQUIPMENT</td>
<td>95,096</td>
<td>95,096</td>
<td>95,096</td>
<td></td>
<td>95,096</td>
</tr>
<tr>
<td>64</td>
<td>COMBAT SURVIVOR EVADER LOCATE</td>
<td>2,222</td>
<td>2,222</td>
<td>2,222</td>
<td></td>
<td>2,222</td>
</tr>
<tr>
<td>65</td>
<td>RADIO EQUIPMENT</td>
<td>13,926</td>
<td>13,926</td>
<td>13,926</td>
<td></td>
<td>13,926</td>
</tr>
<tr>
<td>66</td>
<td>TV EQUIPMENT (AFRTV)</td>
<td>2,640</td>
<td>2,640</td>
<td>2,640</td>
<td></td>
<td>2,640</td>
</tr>
</tbody>
</table>
### Title I - Procurement

(Dollars in Thousands)

<table>
<thead>
<tr>
<th>Line No</th>
<th>Program</th>
<th>FY 2002 Budget Request</th>
<th>House Authorized Qty</th>
<th>House Authorized Cost</th>
<th>Senate Authorized Qty</th>
<th>Senate Authorized Cost</th>
<th>Change</th>
<th>Conference Agreement Authorized Qty</th>
<th>Conference Agreement Authorized Cost</th>
</tr>
</thead>
<tbody>
<tr>
<td>67</td>
<td>CCTV/AUDIOVISUAL EQUIPMENT</td>
<td>3,275</td>
<td>3,275</td>
<td>3,275</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>3,275</td>
</tr>
<tr>
<td>68</td>
<td>BASE COMM INFRASTRUCTURE</td>
<td>76,903</td>
<td>76,903</td>
<td>76,903</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>76,903</td>
</tr>
<tr>
<td>69</td>
<td>SPARES AND REP PARTS</td>
<td>16</td>
<td>16</td>
<td>16</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>16</td>
</tr>
<tr>
<td>70</td>
<td>CAP COM &amp; ELECT</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>71</td>
<td>ITEMS LESS THAN $5,000,000</td>
<td>6,094</td>
<td>6,094</td>
<td>6,094</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>6,094</td>
</tr>
<tr>
<td>Modifications</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>72</td>
<td>COMM ELECT MODS</td>
<td>66,386</td>
<td>66,386</td>
<td>66,386</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>66,386</td>
</tr>
<tr>
<td></td>
<td>Other Base Maintenance and Support Equipment</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Test Equipment</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>73</td>
<td>BASE/ALC CALIBRATION PACKAGE</td>
<td>11,974</td>
<td>11,974</td>
<td>11,974</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>11,974</td>
</tr>
<tr>
<td>74</td>
<td>PRIMARY STANDARDS LABORATORY</td>
<td>1,073</td>
<td>1,073</td>
<td>1,073</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>1,073</td>
</tr>
<tr>
<td>75</td>
<td>ITEMS LESS THAN $5,000,000</td>
<td>17,493</td>
<td>17,493</td>
<td>17,493</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>17,493</td>
</tr>
<tr>
<td></td>
<td>Personal Safety and Rescue Equipment</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>76</td>
<td>NIGHT VISION GOGGLES</td>
<td>3,330</td>
<td>3,330</td>
<td>7,330</td>
<td>2,000</td>
<td>5,330</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>77</td>
<td>ITEMS LESS THAN $5,000,000</td>
<td>7,680</td>
<td>11,680</td>
<td>7,680</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>7,680</td>
</tr>
<tr>
<td></td>
<td>Clear Laser Eye Protection for Infrared (CLEPR)</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Depot Plant and Material Handling Equipment</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>78</td>
<td>MECHANIZED MATERIAL HANDLING</td>
<td>14,364</td>
<td>22,361</td>
<td>14,364</td>
<td>5,000</td>
<td>19,364</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Supply Asset Tracking System (SATS)</td>
<td>[8,000]</td>
<td>[8,000]</td>
<td>[8,000]</td>
<td>[5,000]</td>
<td>[8,000]</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>79</td>
<td>ITEMS LESS THAN $5,000,000</td>
<td>9,437</td>
<td>9,437</td>
<td>9,437</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>9,437</td>
</tr>
<tr>
<td>Line No</td>
<td>Program</td>
<td>FY 2002 Budget Request</td>
<td>House Authorized</td>
<td>Senate Authorized</td>
<td>Conference Agreement Change</td>
<td>Authorized</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>---------</td>
<td>----------------------------------------------</td>
<td>------------------------</td>
<td>------------------</td>
<td>-------------------</td>
<td>----------------------------</td>
<td>-------------</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Qty</td>
<td>Cost</td>
<td>Qty</td>
<td>Cost</td>
<td>Qty</td>
<td>Cost</td>
<td>Qty</td>
<td>Cost</td>
</tr>
<tr>
<td>80</td>
<td>FLOODLIGHTS</td>
<td>6,946</td>
<td>6,946</td>
<td>6,946</td>
<td>6,946</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>81</td>
<td>ITEMS LESS THAN $5,000,000</td>
<td>6,061</td>
<td>6,061</td>
<td>6,061</td>
<td>6,061</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>82</td>
<td>BASE PROCURED EQUIPMENT</td>
<td>11,957</td>
<td>16,957</td>
<td>11,957</td>
<td>11,957</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>83</td>
<td>MEDICAL/DENTAL EQUIPMENT</td>
<td>15,525</td>
<td>15,525</td>
<td>15,525</td>
<td>15,525</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>84</td>
<td>ENVIRONMENTAL PROJECTS</td>
<td>938</td>
<td>938</td>
<td>938</td>
<td>938</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>85</td>
<td>AIR BASE OPERABILITY</td>
<td>6,000</td>
<td>6,000</td>
<td>6,000</td>
<td>6,000</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>86</td>
<td>PHOTOGRAPHIC EQUIPMENT</td>
<td>5,805</td>
<td>5,805</td>
<td>5,805</td>
<td>5,805</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>87</td>
<td>PRODUCTIVITY ENHANCING CAPITAL INVESTMENTS</td>
<td>7,981</td>
<td>7,981</td>
<td>7,981</td>
<td>7,981</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>88</td>
<td>MOBILITY EQUIPMENT</td>
<td>27,581</td>
<td>27,581</td>
<td>27,581</td>
<td>27,581</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>89</td>
<td>AIR CONDITIONERS</td>
<td>7,058</td>
<td>7,058</td>
<td>7,058</td>
<td>7,058</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>90</td>
<td>ITEMS LESS THAN $5,000,000</td>
<td>25,876</td>
<td>25,876</td>
<td>25,876</td>
<td>25,876</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>91</td>
<td>INTELLIGENCE PRODUCTION ACTIVITIES</td>
<td>64,110</td>
<td>64,110</td>
<td>64,110</td>
<td>64,110</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>92</td>
<td>TECH SURV COUNTERMEASURES EQUIPMENT</td>
<td>4,236</td>
<td>4,236</td>
<td>4,236</td>
<td>4,236</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>93</td>
<td>DARPA RC135</td>
<td>14,247</td>
<td>14,247</td>
<td>14,247</td>
<td>14,247</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>94</td>
<td>DARPA, MRIGS</td>
<td>89,478</td>
<td>89,478</td>
<td>89,478</td>
<td>89,478</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
### Title I - Procurement

(Dollars in Thousands)

<table>
<thead>
<tr>
<th>Line</th>
<th>Program</th>
<th>FY 2002 Budget Request Qty</th>
<th>FY 2002 Budget Request Cost</th>
<th>House Authorized Qty</th>
<th>House Authorized Cost</th>
<th>Senate Authorized Qty</th>
<th>Senate Authorized Cost</th>
<th>Conference Agreement Change</th>
<th>Authorized Qty</th>
<th>Authorized Cost</th>
</tr>
</thead>
<tbody>
<tr>
<td>95</td>
<td>SELECTED ACTIVITIES</td>
<td>6,070,259</td>
<td>6,070,259</td>
<td>5,938,559</td>
<td>5,938,559</td>
<td>6,070,259</td>
<td>6,070,259</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>97</td>
<td>DEFENSE SPACE RECONNAISSANCE</td>
<td>6,829</td>
<td>6,829</td>
<td>6,829</td>
<td>6,829</td>
<td>6,829</td>
<td>6,829</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>98</td>
<td>INDUSTRIAL PREPAREDNESS</td>
<td>1,134</td>
<td>1,134</td>
<td>1,134</td>
<td>1,134</td>
<td>1,134</td>
<td>1,134</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>99</td>
<td>MODIFICATIONS</td>
<td>209</td>
<td>209</td>
<td>209</td>
<td>209</td>
<td>209</td>
<td>209</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>100</td>
<td>FIRST DESTINATION TRANSPORTATION</td>
<td>11,822</td>
<td>11,822</td>
<td>11,822</td>
<td>11,822</td>
<td>11,822</td>
<td>11,822</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Spares and Repair Parts</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>101</td>
<td>SPARES AND REPAIR PARTS</td>
<td>33,121</td>
<td>33,121</td>
<td>33,121</td>
<td>33,121</td>
<td>33,121</td>
<td>33,121</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>101a</td>
<td>Management Reform Initiatives</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**Total - Other Procurement, Air Force**: 8,159,521 8,250,821 8,081,721 36,500 8,196,021
The budget request for fiscal year 2002 included an authorization of $1,603.9 million for Procurement, Defense-Wide in the Department of Defense.

The Senate bill would authorize $1,596.7 million. The House amendment would authorize $2,267.3 million.

The conferees recommended an authorization of $2,279.5 million. Unless noted explicitly in the statement of managers, all changes are made without prejudice.
## Title I - Procurement

(Dollars in Thousands)

<table>
<thead>
<tr>
<th>Line No</th>
<th>Program</th>
<th>FY 2002 Budget Request</th>
<th>House</th>
<th>Senate</th>
<th>Conference Agreement</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td>Qty</td>
<td>Cost</td>
<td>Qty</td>
<td>Cost</td>
</tr>
<tr>
<td>1</td>
<td>MOTOR VEHICLES, WHS</td>
<td>87,189</td>
<td>77,189</td>
<td>87,189</td>
<td>87,189</td>
</tr>
<tr>
<td>2</td>
<td>MAJOR EQUIPMENT, OSD</td>
<td>87,189</td>
<td>77,189</td>
<td>87,189</td>
<td>87,189</td>
</tr>
<tr>
<td>3</td>
<td>MAJOR EQUIPMENT, WHS</td>
<td>18,836</td>
<td>18,836</td>
<td>18,836</td>
<td>18,836</td>
</tr>
<tr>
<td>4</td>
<td>DEFENSE CRYPTOLOGIC PROGRAM</td>
<td>[1]</td>
<td>[1]</td>
<td>[1]</td>
<td>[1]</td>
</tr>
<tr>
<td>5</td>
<td>CONSOLED CRYPTOLOGIC PROGRAM</td>
<td>[1]</td>
<td>[1]</td>
<td>[1]</td>
<td>[1]</td>
</tr>
<tr>
<td>6</td>
<td>INFORMATION SYSTEMS SECURITY PROGRAM</td>
<td>[1]</td>
<td>[1]</td>
<td>[1]</td>
<td>[1]</td>
</tr>
<tr>
<td>7</td>
<td>DEFENSE AIRBORNE RECONNAISSANCE PROGRAM</td>
<td>[1]</td>
<td>[1]</td>
<td>[1]</td>
<td>[1]</td>
</tr>
<tr>
<td>8</td>
<td>DEFENSE COUNTERDRUG INTELLIGENCE PROGRAM</td>
<td>[1]</td>
<td>[1]</td>
<td>[1]</td>
<td>[1]</td>
</tr>
<tr>
<td>9</td>
<td>MOBILE SATELLITE SYSTEM TECHNOLOGY</td>
<td>43,211</td>
<td>43,211</td>
<td>43,211</td>
<td>43,211</td>
</tr>
<tr>
<td>10</td>
<td>INFORMATION SYSTEMS SECURITY</td>
<td>3,288</td>
<td>3,288</td>
<td>3,288</td>
<td>3,288</td>
</tr>
<tr>
<td>11</td>
<td>CONTINUITY OF OPERATIONS</td>
<td>19,062</td>
<td>19,062</td>
<td>19,062</td>
<td>19,062</td>
</tr>
</tbody>
</table>
### Title I - Procurement

(Dollars in Thousands)

<table>
<thead>
<tr>
<th>Line No</th>
<th>Program</th>
<th>FY 2002 Budget Request</th>
<th>House Authorized Qty</th>
<th>Cost</th>
<th>Senate Authorized Qty</th>
<th>Cost</th>
<th>Change Qty</th>
<th>Cost</th>
<th>Conference Agreement Authorized Qty</th>
<th>Cost</th>
</tr>
</thead>
<tbody>
<tr>
<td>13</td>
<td>GLOBAL COMMAND AND CONTROL SYSTEM</td>
<td>3,550</td>
<td>3,550</td>
<td>3,550</td>
<td>3,550</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>14</td>
<td>GLOBAL COMBAT SUPPORT SYSTEM</td>
<td>1,843</td>
<td>1,843</td>
<td>1,843</td>
<td>1,843</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>15</td>
<td>STANDARD TACTICAL ENTRY POINT</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>16</td>
<td>TELEPORTS</td>
<td>97,351</td>
<td>97,351</td>
<td>97,351</td>
<td>97,351</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>17</td>
<td>ITEMS LESS THAN $5M</td>
<td>29,580</td>
<td>29,580</td>
<td>29,580</td>
<td>29,580</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>18</td>
<td>DRUG INTERDICTIO SUPPORT</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Major Equipment, DIA</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>19</td>
<td>INTELLIGENCE AND COMMUNICATIONS</td>
<td>[ ]</td>
<td>[ ]</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>(5,500)</td>
<td></td>
</tr>
<tr>
<td>20</td>
<td>UNDISTRIBUTED NFIP ADJUSTMENTS</td>
<td>[ ]</td>
<td>[ ]</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>21</td>
<td>HEADQUARTERS MANAGEMENT, DIA</td>
<td>[ ]</td>
<td>[ ]</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Major Equipment, DLA</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>22</td>
<td>MAJOR EQUIPMENT</td>
<td>12,805</td>
<td>12,805</td>
<td>12,805</td>
<td>12,805</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Major Equipment, DCAA</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>23</td>
<td>MAJOR EQUIPMENT ITEMS LESS THAN $5.0M</td>
<td>1,500</td>
<td>1,500</td>
<td>1,500</td>
<td>1,500</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Major Equipment, TJS</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Ballistic Missile Defense Organization</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>25</td>
<td>PATRIOT PAC-3</td>
<td>72</td>
<td>676,574</td>
<td>72</td>
<td>676,574</td>
<td>72</td>
<td>676,574</td>
<td>72</td>
<td>676,574</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Transfer from MPA</td>
<td></td>
<td>[676,574]</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>26</td>
<td>NATIONAL MISSILE DEFENSE</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Line</td>
<td>Program</td>
<td>FY 2002 Budget Request</td>
<td>House Authorized</td>
<td>Senate Authorized</td>
<td>Conference Agreement</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>------</td>
<td>----------------------------------------------</td>
<td>------------------------</td>
<td>------------------</td>
<td>-------------------</td>
<td>-----------------------</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>27</td>
<td>C4I</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>28</td>
<td>NAVY AREA THDM PROGRAM</td>
<td>6,983</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Transfer from WPN</td>
<td>[6,983]</td>
<td>[6,983]</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Major Equipment, DHRA</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>29</td>
<td>PERSONNEL ADMINISTRATION</td>
<td>7,352</td>
<td>7,352</td>
<td>7,352</td>
<td>7,352</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>National Imagery and Mapping Agency</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>30</td>
<td>MAJOR EQUIPMENT, NIMA</td>
<td>1</td>
<td></td>
<td></td>
<td>(3,600)</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Defense Threat Reduction Agency</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>31</td>
<td>VEHICLES</td>
<td>145</td>
<td>145</td>
<td>145</td>
<td>145</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>32</td>
<td>OTHER MAJOR EQUIPMENT</td>
<td>24,480</td>
<td>24,480</td>
<td>24,480</td>
<td>24,480</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Defense Security Cooperation Agency</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>33</td>
<td>OTHER MAJOR EQUIPMENT</td>
<td>200</td>
<td>200</td>
<td>200</td>
<td>200</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Major Equipment, AFIS</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>34</td>
<td>MAJOR EQUIPMENT, AFIS</td>
<td>5,369</td>
<td>5,369</td>
<td>5,369</td>
<td>5,369</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Major Equipment, DODDE</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>35</td>
<td>AUTOMATION/EDUCATIONAL SUPPORT AND LOGISTICS</td>
<td>1,576</td>
<td>1,576</td>
<td>1,576</td>
<td>1,576</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Major Equipment, DCMA</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>36</td>
<td>MAJOR EQUIPMENT</td>
<td>31,413</td>
<td>31,413</td>
<td>31,413</td>
<td>31,413</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
Title I - Procurement

(Dollars in Thousands)

<table>
<thead>
<tr>
<th>Line</th>
<th>Program</th>
<th>FY 2002 Budget Request</th>
<th>House Authorized</th>
<th>Senate Authorized</th>
<th>Conference Agreement</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Qty</td>
<td>Cost</td>
<td>Qty</td>
<td>Cost</td>
<td>Qty</td>
</tr>
<tr>
<td>37</td>
<td></td>
<td>79,084</td>
<td>79,084</td>
<td>79,084</td>
<td>79,084</td>
</tr>
<tr>
<td>38</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>39</td>
<td></td>
<td>10,427</td>
<td>10,427</td>
<td>10,427</td>
<td>10,427</td>
</tr>
<tr>
<td>40</td>
<td></td>
<td>28,202</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>41</td>
<td></td>
<td>8,705</td>
<td>8,705</td>
<td>8,705</td>
<td>8,705</td>
</tr>
<tr>
<td>42</td>
<td></td>
<td>8,176</td>
<td>8,176</td>
<td>8,176</td>
<td>8,176</td>
</tr>
<tr>
<td>43</td>
<td></td>
<td>1,763</td>
<td>1,763</td>
<td>1,763</td>
<td>1,763</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>44</td>
<td></td>
<td>33,439</td>
<td>33,439</td>
<td>33,439</td>
<td>33,439</td>
</tr>
<tr>
<td>45</td>
<td></td>
<td>13,697</td>
<td>13,697</td>
<td>13,697</td>
<td>13,697</td>
</tr>
<tr>
<td>46</td>
<td></td>
<td>504</td>
<td>504</td>
<td>504</td>
<td>504</td>
</tr>
<tr>
<td>47</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>48</td>
<td></td>
<td>31,415</td>
<td>31,415</td>
<td>31,415</td>
<td>31,415</td>
</tr>
<tr>
<td>49</td>
<td></td>
<td>1,509</td>
<td>1,509</td>
<td>1,509</td>
<td>1,509</td>
</tr>
<tr>
<td>50</td>
<td></td>
<td>5,635</td>
<td>5,635</td>
<td>5,635</td>
<td>5,635</td>
</tr>
</tbody>
</table>
### Title I - Procurement

(Dollars in Thousands)

<table>
<thead>
<tr>
<th>Line</th>
<th>Program</th>
<th>FY 2002 Budget Request</th>
<th>House Authorized</th>
<th>Senate Authorized</th>
<th>Conference Agreement Change</th>
<th>Authorized</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td>Qty</td>
<td>Cost</td>
<td>Qty</td>
<td>Cost</td>
<td>Qty</td>
</tr>
<tr>
<td>51</td>
<td>COMM EQUIPMENT &amp; ELECTRONICS</td>
<td>41,404</td>
<td>41,404</td>
<td>55,804</td>
<td></td>
<td>41,404</td>
</tr>
<tr>
<td></td>
<td>AN / PRC-148 SOF Radios</td>
<td></td>
<td></td>
<td>14,400</td>
<td></td>
<td></td>
</tr>
<tr>
<td>52</td>
<td>SOF INTELLIGENCE SYSTEMS</td>
<td>8,133</td>
<td>13,133</td>
<td>8,133</td>
<td></td>
<td>2,500</td>
</tr>
<tr>
<td></td>
<td>Portable Intelligence Collection &amp; Relay Capability</td>
<td></td>
<td></td>
<td>[5,000]</td>
<td></td>
<td></td>
</tr>
<tr>
<td>53</td>
<td>SOF SMALL ARMS &amp; WEAPONS</td>
<td>6,936</td>
<td>6,936</td>
<td>10,636</td>
<td></td>
<td>2,500</td>
</tr>
<tr>
<td></td>
<td>Advanced Lightweight Grenade Launcher</td>
<td></td>
<td></td>
<td></td>
<td>[2,500]</td>
<td></td>
</tr>
<tr>
<td></td>
<td>M4A1 Carbine Modification Kits</td>
<td></td>
<td></td>
<td>[12,000]</td>
<td></td>
<td></td>
</tr>
<tr>
<td>54</td>
<td>MARITIME EQUIPMENT MODS</td>
<td>1,660</td>
<td>1,660</td>
<td>1,660</td>
<td></td>
<td>1,660</td>
</tr>
<tr>
<td>55</td>
<td>SOF COMBATANT CRAFT SYSTEMS</td>
<td>6,042</td>
<td>6,042</td>
<td>6,042</td>
<td></td>
<td>6,042</td>
</tr>
<tr>
<td>56</td>
<td>SPARES AND REPAIR PARTS</td>
<td>5,036</td>
<td>5,036</td>
<td>5,036</td>
<td></td>
<td>5,036</td>
</tr>
<tr>
<td>57</td>
<td>SOF MARITIME EQUIPMENT</td>
<td>2,975</td>
<td>2,975</td>
<td>2,975</td>
<td></td>
<td>2,975</td>
</tr>
<tr>
<td>58</td>
<td>DRUG INTERDICTON</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>59</td>
<td>MISCELLANEOUS EQUIPMENT</td>
<td>8,111</td>
<td>8,111</td>
<td>8,111</td>
<td></td>
<td>8,111</td>
</tr>
<tr>
<td>60</td>
<td>SOF PLANNING AND REHEARSAL SYSTEM</td>
<td>1,448</td>
<td>1,448</td>
<td>1,448</td>
<td></td>
<td>1,448</td>
</tr>
<tr>
<td>61</td>
<td>SOF OPERATIONAL ENHANCEMENTS</td>
<td>102,571</td>
<td>102,571</td>
<td>102,571</td>
<td></td>
<td>102,571</td>
</tr>
<tr>
<td>62</td>
<td>PSYOP EQUIPMENT</td>
<td>2,780</td>
<td>2,780</td>
<td>2,780</td>
<td></td>
<td>2,780</td>
</tr>
</tbody>
</table>
## Title I - Procurement

(Dollars in Thousands)

<table>
<thead>
<tr>
<th>Line</th>
<th>Program</th>
<th>FY 2002 Budget Request</th>
<th>House Authorized</th>
<th>Senate Authorized</th>
<th>Conference Agreement</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td>Qty</td>
<td>Cost</td>
<td>Qty</td>
<td>Cost</td>
</tr>
<tr>
<td>63</td>
<td>Individual Protection</td>
<td>114,327</td>
<td>114,327</td>
<td>118,727</td>
<td>4,400</td>
</tr>
<tr>
<td></td>
<td>M291 Skin Decontamination Kits</td>
<td></td>
<td>[3,400]</td>
<td></td>
<td>[3,400]</td>
</tr>
<tr>
<td></td>
<td>M49 Chem-Bio Filters</td>
<td></td>
<td>[1,000]</td>
<td></td>
<td>[1,000]</td>
</tr>
<tr>
<td>64</td>
<td>Decontamination</td>
<td>15,196</td>
<td>15,196</td>
<td>15,196</td>
<td></td>
</tr>
<tr>
<td>65</td>
<td>Joint Biological Defense Program</td>
<td>155,916</td>
<td>155,916</td>
<td>155,916</td>
<td></td>
</tr>
<tr>
<td>66</td>
<td>Collective Protection</td>
<td>38,940</td>
<td>51,940</td>
<td>45,940</td>
<td>13,000</td>
</tr>
<tr>
<td></td>
<td>Chem Bio Defense Collective Protection Shelters</td>
<td>[13,000]</td>
<td>[13,000]</td>
<td>[13,000]</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Chem Bio Protective Shelters</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>67</td>
<td>Contamination Avoidance</td>
<td>24,330</td>
<td>24,330</td>
<td>24,330</td>
<td></td>
</tr>
<tr>
<td>999</td>
<td>Classified Programs</td>
<td>421,436</td>
<td>421,436</td>
<td>421,436</td>
<td></td>
</tr>
<tr>
<td>67a</td>
<td>Management Reform Initiatives</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Total</td>
<td>Procurement, Defense-Wide</td>
<td>1,603,927</td>
<td>2,267,282</td>
<td>1,596,725</td>
<td>675,555</td>
</tr>
</tbody>
</table>
Chemical Agents and Munitions Destruction, Army in the Department of Defense—Overview

The budget request for fiscal year 2002 included an authorization of $1,153.6 million for Chemical Agents & Munitions Destruction, Army in the Department of Defense. The Senate bill would authorize $1,153.6 million. The House amendment would authorize $1,078.6 million. The conferees recommended an authorization of $1,153.6 million for Chemical Agents & Munitions Destruction, Defense. Unless noted explicitly in the statement of managers, all changes are made without prejudice.
<table>
<thead>
<tr>
<th>Line</th>
<th>Program</th>
<th>FY 2002 Budget Request</th>
<th>House Authorized</th>
<th>Senate Authorized</th>
<th>Conference Agreement Change</th>
<th>Authorized</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>CHEM DEMILITARIZATION - RDTE</td>
<td>192,879</td>
<td>200,379</td>
<td>200,379</td>
<td>200,379</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Transfer from CAMD, A - Comply with 50 USC 1521</td>
<td>[192,879]</td>
<td>[200,379]</td>
<td>[200,379]</td>
<td>[200,379]</td>
<td></td>
</tr>
<tr>
<td>2</td>
<td>CHEM DEMILITARIZATION - PROC</td>
<td>157,158</td>
<td>164,158</td>
<td>164,158</td>
<td>164,158</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Transfer from CAMD, A - Comply with 50 USC 1521</td>
<td>[157,158]</td>
<td>[164,158]</td>
<td>[164,158]</td>
<td>[164,158]</td>
<td></td>
</tr>
<tr>
<td>3</td>
<td>CHEM DEMILITARIZATION - O&amp;M</td>
<td>728,520</td>
<td>789,020</td>
<td>789,020</td>
<td>789,020</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Transfer from CAMD, A - Comply with 50 USC 1521</td>
<td>[728,520]</td>
<td>[789,020]</td>
<td>[789,020]</td>
<td>[789,020]</td>
<td></td>
</tr>
<tr>
<td></td>
<td><strong>Total - Chemical Agents &amp; Munitions Destruction, Defense</strong></td>
<td>1,078,557</td>
<td>1,153,557</td>
<td>1,153,557</td>
<td>1,153,557</td>
<td></td>
</tr>
</tbody>
</table>
ITEMS OF SPECIAL INTEREST

Acquisition programs at the National Reconnaissance Office

The Senate report (S. Rept. 107–62) raised several concerns about acquisition programs at the National Reconnaissance Office (NIMA). The report expressed concern that the requirements trade-off process for the future imagery architecture (FIA) may not have provided sufficient attention to all aspects of an end-to-end capability, focusing too narrowly on the collection aspects of the problem.

The Senate report insisted that the requirements trade-off process consider the complete picture, not just the more narrow question of the collection instrument. The report recommended that the Secretary of Defense and the Director of Central Intelligence ensure that the acquisition policies of the Office of the Secretary of Defense, the Community Management Staff, and the National Reconnaissance Office (NRO) be changed to prevent recurrences of these problems at the NIMA. The report stated that these policies should prevent NRO satellite programs from entering acquisition until the Joint Requirements Oversight Council (JROC) and Mission Requirements Board (MRB) have approved a set of requirements for end-to-end system performance (i.e., ground and space segments together), and that time estimates to test those requirements have been prepared by the NRO and its mission partners or other appropriate organizations.

The report accompanying the House amendment (H. Rept. 107–194) expressed no similar sentiments.

The conferees agree that the requirements trade-off process should consider the entire end-to-end system, not just the collection instruments. NRO satellite programs should include an assessment of the costs and impacts. Contractors should be held accountable for testing requirements that have been approved to enter acquisition. The JROC and MRB should also have an approved set of requirements for end-to-end system performance, i.e., ground, communications and space segments together. Complete cost and schedule estimates to meet these requirements should be presented by the NRO and its mission partners before appropriate organizations and presented to the Director of Central Intelligence, the Secretary of Defense, and Congress.

However, the conferees do not believe that this should be an absolute prohibition placed on all NRO systems. For example, there are technology demonstration activities and other non-major systems procurement where spending resources on fielding an end-to-end capability is neither required nor appropriate.

The conferees believe that there has been progress in this area, but that the Secretary of Defense and the DCI should further ensure major new acquisition programs that support national-level requirements and the Department of Defense customers have completed the appropriate level of documentation in a formal requirements process, and the cost and schedule estimates to meet these end-to-end requirements have been prepared, before such programs enter into acquisition.

The report identified a number of specific actions that the NSA would have to complete before December 1, 2001. Otherwise, the report would direct that the NSA modernization effort be directed toward a spiral-development approach to major elements of the modernization program, not the collection instrument. The conferees believe that the senior acquisition executive (SAE) and the NSA have a rationalized, integrated schedule and requirements allocation for all the major elements of its modernization effort.

The conferees directed that the NSA modernization efforts proceed with an orderly review process. The SAE must work closely with the National Intelligence Director (NID) to ensure that programs are planned to achieve the automation, computer automation, and mass data storage requirements that parallels the successful and productive efforts performed at the National Imagery and Mapping Agency in fiscal year 2001. There were a number of specific actions identified in the Senate report to help improve the situation at the NSA, including the following:

1. The NSA must create a rational requirements process and produce a prioritized requirements baseline that is structured to support a spiral-development approach to major elements of the modernization program.
2. The NSA must produce a rationalized, integrated schedule and requirements allocation for all the major elements of its modernization effort.
3. The NSA must develop plans for turning over most or all of the systems integration job to a single industry team.
4. The NSA must create a detailed plan to subordinate modernization activities and programs under the Objective Trailblazer program.
5. The NSA must produce a detailed audit of all the National Signals Intelligence development activities and programs within the Agency.
6. The NSA must produce a detailed plan and schedule to establish a rigorous ‘‘make-or-buy’’ analysis for all the NSA acquisition activities; and
7. The NSA must produce a plan acceptable to the Department of Defense and the Director of Central Intelligence for enterprise-wide systems engineering.

The House report (H. Rept. 107–194) expressed no similar sentiments.

The conferees believe that the senior acquisition executive (SAE) and the NSA have made significant improvements in the acquisition process. The SAE has initiated an orderly review process and has increased the percentage of competitive acquisitions.

However, much needed progress still remains to be achieved. The SAE is operating within requirements and architecture vacuum, is not responsible for technology selection, has no control over correcting deficiencies in systems or software engineering disciplines, and appears to lack the authority to cancel or redirect troubled programs. Although the chief finance officer (CFO) is understaffed and has not been gain internal support to implement a cost accounting system that would enable the NSA to conduct an accurate financial baseline of all programs.

To its credit, the NSA has acknowledged that its modernization efforts were proceeding in isolation, and over the past several months, there has been an attempt to address the integration problem within the Signals Intelligence Directorate. However, such revelations must be accompanied by concrete plans for improvement.

The conferees agree with the need for the OSD to restructure the Baseline Engineering Effort to develop a major new acquisition program, with milestone decision authority residing with the Secretary of Defense (Acquisition, Technology & Logistics) until initial operational capability is achieved.

The conferees further encourage the NSA to seek the advice of independent, outside experts to assist in guiding its selection of technologies and make effective recommendations to the Department of Defense (Acquisition, Technology, and Logistics) until initial operational capability is achieved.

The current fleet of reconnaissance platforms, consisting of the RC-135, the EP-3, and the US-2, is aging. In addition to the platform modernization, an aerovigilant Common Sensor and the Global Hawk High Altitude Endurance Unmanned Aerial Vehicle (HAE-UAV), the conferees are aware of the Navy and Air Force initiatives to consider the replacement of their older reconnaissance platforms.

The conferees are also aware of the current status of collection that parallels the National Reconnaissance platforms, and are particularly concerned with SIGINT systems. The recent cancellation of the low-band subsystem (LBSS) portion of the Joint SIGINT Avionics Family (JSAF) program has necessitated a complete review of the way ahead to ensure SIGINT systems. Although the development of the JSF/JSAP high-band SIGINT system has been more successful, without LBSS the SIGINT requirement will not have been met. Prior to establishment of the JSF/JSAP program, the individual services had disparate upgrade programs. Although technology sharing occurred, it was sporadic and uncoordinated.

The conferees expect the plan to include: (1) a robust spiral development approach, and (2) adequate emphasis on fielding and modernizing the appropriate ground support infrastructure.

The conferees believe the time is right to begin the formal discapitalization and modernization of the airborne signals intelligence platforms, systems, and architecture. The conferees are specifically not endorsing any option for recapitalization. In fact, with several options under consideration, the conferees believe the Department of Defense should conduct an analysis of alternative develop, design, integrate, and deploy cost-effective approach to this recapitalization and modernization. The conferees believe, in weighing the various options, consideration be given to: (1) all-source net-centric operations that allow the various platforms to coordinate their various collection and analytical functions; (2) the directed control of unmanned vehicles and their payloads; (3) a reach-back capability allowing analysts not on the platform...
to operate systems; (4) software re-programmable systems to allow for rapid threat up-
dates; and (5) the ability to share in system upgrades.

Artiegh Burke-class destroyer procurement

The conferees agree with the Navy assessment
that the destroyer industrial base is at
risk unless three destroyers are built each
year or unless the destroyer shipbuilders at-
tain significant other work beyond their his-
toric level of the past 10 years. Therefore,
the conferees agree that the Secretary of
the Navy should include procurement of three
Arleigh Burke-class destroyers in the fiscal year
2002 budget request to attain an eco-

The Senate bill contained a provision (sec.
112) to repeal section 115 of the National De-

The Senate bill contained a provision (sec.
114) that would authorize the pilot program
that would the authority for the pilot
program through fiscal year 2002 but would
limit the program to one facility. The con-
ferrees direct that the facility that has dem-

Although the amended budget request was
submitted to Congress on June 27, 2001, the
Secretary has not yet submitted the required
report required by the Senate version of the
Defense to submit the required report, which
is intended to provide the Congress with the
information required to review the plans for
recapturing the attach submarine force structure.

Legislative provisions adopted

Subtitle A—Authorization of Appropriations

Authorization of appropriations (secs. 101–107)

The Senate bill contained provisions (secs.
101–107) that would authorize the recom-

The House amendment contained a provision (sec.
106) that would authorize $1.2 billion for
chemical demilitarization.

The House amendment contained another provision
that would authorize the requested $1.2 bil-

The Department of Defense has initiated a high-level review
of the entire chemical demilitarization pro-
gram and all its component elements. The
congressional defense committees expect the Department of
Defense to comply with the law in future budget requests for the chemical demili-
tarization program.

The Senate bill contained a provision (sec.
121) that would modify section 123(b)(1) of the Floyd D.
Spence National Defense Authorization Act for Fiscal Year 1994 to authorize the
Secretary of the Navy to enter a multiyear contract for
procurement of F/A–18E/F aircraft engines. The Navy is currently procuring
F/A–18E/F aircraft directly from the engine contractor
and provides the engines to the prime air-
frame contractor as government-furnished engine.

The Secretary of Defense to comply with the law in future budget requests for the chemical demili-
tarization program.
The Senate bill contained a provision (sec. 123) that would keep the production rate of V–22 aircraft at the minimum sustaining rate, defined as the number for which funds are authorized to be appropriated in this Act, until the Secretary of Defense certifies to Congress that operational testing has successfully demonstrated certain effectiveness and suitability aspects not yet demonstrated.

The House amendment contained no similar provision.

The Senate bill contained two provisions relating to reports that would be required before the V–22 could return to flight status.

One provision (sec. 124) would require the Secretary of Defense to notify Congress of the waiver, if any, of any item capability or other requirement specified in the V–22 Joint Operational Requirements Document, along with justification for any such waiver. The provision would require that any such notice be given at least 30 days before the V–22 resumes flight operations.

The second provision (sec. 215) would require the Under Secretary of Defense (Acquisition, Technology, and Logistics) to submit a report, 30 days before V–22 resumption of flight, that would include: (1) a description of any hydraulics and flight control software deficiencies and corrective actions; (2) actions to implement the recommendations of the Panel to Review the V–22 Program; and (3) an assessment of the recommendations of the National Aeronautics and Space Administration in its report on tiltrotor aeromechanics.

The House amendment contained no similar provisions.

The Senate bill would authorize the Secretary of Defense to notify Congress of his intent to recommend to the Under Secretary on whether the destruction of the chemical munitions stockpile should be initiated at a particular chemical stockpile destruction site. Finally, the provision would require that the Under Secretary, after considering a negative recommendation of a board, may not recommend commencing destruction of the chemical munitions stockpile at the site until 90 days after the Under Secretary notifies Congress of his intent to recommend initiation of chemical munitions destruction operations.

The Senate bill contained no similar provision.

The House amendment contained no similar provision.

The Senate bill contained a provision (sec. 111) that would give the Secretary of the Army discretionary authority to extend the existing multiyear procurement contract for the Family of Medium Tactical Vehicles for one additional year.

The Senate bill contained no similar provision.

The Senate amendment contained no similar provision.

The Senate amendment contained a provision (sec. 108) that would authorize an increase of $57.1 million for a ship overhaul.

The Senate bill contained no similar provision.

The Senate bill contained a provision (sec. 131) that would authorize a multiyear procurement of up to 60 additional C–17 aircraft in accordance with section 2306b of title 10, United States Code.

The House amendment contained a similar provision (sec. 121) that would authorize a multiyear procurement of up to 60 additional C–17 aircraft after the Secretary of Defense certifies that such a procurement is in the interest of the Department of Defense.

The Senate amendment contained a provision (sec. 121) that would authorize a multiyear procurement contract for procurement of up to 60 additional C–17 aircraft in accordance with section 2306b of title 10, United States Code, except that the contract could cover a period of up to six program years.

The provision would require that the Secretary certify that each of the conditions listed in subsection (a) of section 2306b of title 10, United States Code, has been satisfied. The provision would also require that this multiyear procurement contract could not be entered into until 30 days after the aforementioned certification has been transmitted.

The House amendment contained a provision (sec. 111) that would authorize additional M291 skin decontamination kits.

The Senate amendment contained a provision (sec. 142) that would authorize an increase of $2.4 million in the Defense-Wide procurement account for procurement of additional M291 skin decontamination kits.

The House amendment contained no similar provision.

The Senate amendment would authorize an additional increase of $1.0 million for procurement of M291 skin decontamination kits.

The Senate amendment contained a provision (sec. 141) that would amend section 192 of the National Defense Authorization Act for Fiscal Year 1996 (Public Law 104–106; 50 U.S.C. 1521 note) to add to the requirements that must be satisfied before the Secretary of Defense may initiate destruction of the chemical munition stockpile stored at a chemical stockpile destruction site. The provision would require the Under Secretary of Defense (Acquisition, Technology, and Logistics) to convene independent oversight boards that would make a recommendation to the Under Secretary on whether the destruction of the chemical munitions stockpile should be initiated at a particular chemical stockpile destruction site. Finally, the provision would require that the Under Secretary, after considering a negative recommendation of a board, may not recommend commencing destruction of the chemical munitions stockpile at the site until 90 days after the Under Secretary notifies Congress of his intent to recommend initiation of chemical munitions destruction operations.

The Senate amendment contained no similar provision.

The House amendment contained no similar provision.

The Senate amendment contained a provision (sec. 111) that would give the Secretary of the Army discretionary authority to extend the existing multiyear procurement contract for the Family of Medium Tactical Vehicles for one additional year.

The Senate amendment contained no similar provision.

The Senate amendment contained a provision (sec. 108) that would authorize an increase of $57.1 million for a ship overhaul.

The Senate amendment contained no similar provision.

The Senate amendment contained a provision (sec. 111) that would authorize an additional increase of $1.0 million for procurement of M291 skin decontamination kits.

The Senate amendment contained no similar provision.

The Senate amendment contained a provision (sec. 142) that would authorize an increase of $2.4 million in the Defense-Wide procurement account for procurement of additional M291 skin decontamination kits.

The Senate amendment contained no similar provision.

The Senate amendment contained a provision (sec. 141) that would amend section 192 of the National Defense Authorization Act for Fiscal Year 1996 (Public Law 104–106; 50 U.S.C. 1521 note) to add to the requirements that must be satisfied before the Secretary of Defense may initiate destruction of the chemical munition stockpile stored at a chemical stockpile destruction site. The provision would require the Under Secretary of Defense (Acquisition, Technology, and Logistics) to convene independent oversight boards that would make a recommendation to the Under Secretary on whether the destruction of the chemical munitions stockpile should be initiated at a particular chemical stockpile destruction site. Finally, the provision would require that the Under Secretary, after considering a negative recommendation of a board, may not recommend commencing destruction of the chemical munitions stockpile at the site until 90 days after the Under Secretary notifies Congress of his intent to recommend initiation of chemical munitions destruction operations.

The Senate amendment contained no similar provision.
<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>RDT&amp;E, Army</td>
<td>6,693,920</td>
<td>6,749,025</td>
<td>6,901,670</td>
<td>(18,595)</td>
<td>6,675,325</td>
</tr>
<tr>
<td>RDT&amp;E, Navy</td>
<td>11,123,389</td>
<td>10,863,274</td>
<td>11,134,806</td>
<td>(339,125)</td>
<td>10,794,676</td>
</tr>
<tr>
<td>RDT&amp;E, Air Force</td>
<td>14,343,982</td>
<td>14,485,653</td>
<td>14,459,457</td>
<td>63,205</td>
<td>14,407,177</td>
</tr>
<tr>
<td>RDT&amp;E, Defense-Wide</td>
<td>15,050,787</td>
<td>15,109,623</td>
<td>13,878,747</td>
<td>(678,147)</td>
<td>14,372,640</td>
</tr>
<tr>
<td>Developmental Test &amp; Evaluation, Defense</td>
<td>-</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Operational Test &amp; Evaluation</td>
<td>217,355</td>
<td>217,355</td>
<td>227,855</td>
<td>4,500</td>
<td>221,355</td>
</tr>
<tr>
<td>Defense Health Program</td>
<td>65,304</td>
<td>65,304</td>
<td>65,304</td>
<td>0</td>
<td>65,304</td>
</tr>
<tr>
<td>TOTAL RDT&amp;E</td>
<td>47,494,737</td>
<td>47,490,234</td>
<td>46,667,839</td>
<td>(968,662)</td>
<td>46,526,075</td>
</tr>
</tbody>
</table>
The conferees agree to reduce the research, development, test and evaluation accounts by $140.0 million to reflect savings from management reform initiatives, as discussed in Title VIII.

**Research, Development, Test and Evaluation, Army—Overview**

The budget request for fiscal year 2002 included an authorization of $6,693.9 million for Research, Development, Test and Evaluation, Army in the Department of Defense. The Senate bill would authorize $6,901.7 million. The House amendment would authorize $6,749.0 million.

The conferees recommended an authorization of $6,675.3 million. Unless noted explicitly in the statement of managers, all changes are made without prejudice.
<table>
<thead>
<tr>
<th>Line No</th>
<th>Program No</th>
<th>Program Element</th>
<th>Program Title</th>
<th>FY2002 Request</th>
<th>House Authorized</th>
<th>Senate Authorized</th>
<th>Conference Agreement Change</th>
<th>Authorized</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>0601101A</td>
<td></td>
<td>In House Laboratory Independent Research</td>
<td>14,815</td>
<td>14,815</td>
<td>14,815</td>
<td>14,815</td>
<td></td>
</tr>
<tr>
<td>3</td>
<td>0601104A</td>
<td></td>
<td>University and Industry Research Centers</td>
<td>69,147</td>
<td>79,147</td>
<td>69,897</td>
<td>2,000</td>
<td>71,147</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Collaboration in Biotechnology Research</td>
<td>[10,000]</td>
<td>[10,000]</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Lightweight Composite Materials</td>
<td>[750]</td>
<td>[750]</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>4</td>
<td>0602104A</td>
<td></td>
<td>TRACTOR ROSE</td>
<td>14,815</td>
<td>14,815</td>
<td>14,815</td>
<td>14,815</td>
<td></td>
</tr>
<tr>
<td>5</td>
<td>0602105A</td>
<td></td>
<td>Materials Technology</td>
<td>13,794</td>
<td>13,794</td>
<td>19,794</td>
<td>5,000</td>
<td>18,794</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Advanced Materials Processing Program</td>
<td>[4,000]</td>
<td>[4,000]</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Composite Materials Technology</td>
<td>[2,000]</td>
<td>[2,000]</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>6</td>
<td>0602120A</td>
<td></td>
<td>Sensors and Electronic Survivability</td>
<td>25,797</td>
<td>30,797</td>
<td>25,797</td>
<td>2,000</td>
<td>27,797</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Passive Millimeter-wave Imaging</td>
<td>[5,000]</td>
<td>[5,000]</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>7</td>
<td>0602122A</td>
<td></td>
<td>TRACTOR HIP</td>
<td>7,741</td>
<td>7,741</td>
<td>7,741</td>
<td>7,741</td>
<td></td>
</tr>
<tr>
<td>8</td>
<td>0602211A</td>
<td></td>
<td>Aviation Technology</td>
<td>49,265</td>
<td>49,265</td>
<td>49,265</td>
<td>49,265</td>
<td></td>
</tr>
<tr>
<td>9</td>
<td>06022270A</td>
<td></td>
<td>EW Technology</td>
<td>17,449</td>
<td>17,449</td>
<td>17,449</td>
<td>17,449</td>
<td></td>
</tr>
<tr>
<td>10</td>
<td>0602303A</td>
<td></td>
<td>Missile Technology</td>
<td>40,112</td>
<td>65,112</td>
<td>49,612</td>
<td>11,750</td>
<td>51,862</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Low Cost, Fully Integrated GPS-BMU Guidance Development</td>
<td>[20,000]</td>
<td>[20,000]</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Short Range Missile Defense with Optimized Radar Distribution (SWORD)</td>
<td>[5,000]</td>
<td>[5,000]</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Compact Kinetic Energy Missile Inertial (CKEM) - Future Missile Technology Integration</td>
<td>[5,000]</td>
<td>[5,000]</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>CKEM Inertial Measurement Unit (IMU)</td>
<td>[3,250]</td>
<td>[3,250]</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Enhanced Supersonic Combustion Ramjet (SCRAMJET) Mixing</td>
<td>[2,500]</td>
<td>[2,500]</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>11</td>
<td>0602307A</td>
<td></td>
<td>Advanced Weapons Technology</td>
<td>19,043</td>
<td>19,043</td>
<td>19,043</td>
<td>19,043</td>
<td></td>
</tr>
</tbody>
</table>
## Title II - RDT and E

(Dollars in Thousands)

<table>
<thead>
<tr>
<th>Line No.</th>
<th>Program No.</th>
<th>Program Title</th>
<th>FY2002 Request</th>
<th>House Authorized</th>
<th>Senate Authorized</th>
<th>Conference Agreement Change</th>
<th>Conference Agreement Authorized</th>
</tr>
</thead>
<tbody>
<tr>
<td>12</td>
<td>0602308A</td>
<td>Modeling and Simulation Technology</td>
<td>20,579</td>
<td>20,579</td>
<td>20,579</td>
<td>20,579</td>
<td></td>
</tr>
<tr>
<td>13</td>
<td>0602601A</td>
<td>Combat Vehicle and Automotive Technology</td>
<td>82,441</td>
<td>82,441</td>
<td>102,441</td>
<td>15,000</td>
<td>97,441</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Combat Truck Initiative (COMBATT)</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>14</td>
<td>0602618A</td>
<td>Ballistics Technology</td>
<td>61,502</td>
<td>61,502</td>
<td>61,502</td>
<td>61,502</td>
<td></td>
</tr>
<tr>
<td>15</td>
<td>0602622A</td>
<td>Chemical, Smoke and Equipment Defeating Technology</td>
<td>3,561</td>
<td>3,561</td>
<td>3,561</td>
<td>3,561</td>
<td></td>
</tr>
<tr>
<td>16</td>
<td>0602623A</td>
<td>Joint Service Small Arms Program</td>
<td>5,611</td>
<td>5,611</td>
<td>5,611</td>
<td>5,611</td>
<td></td>
</tr>
<tr>
<td>17</td>
<td>0602624A</td>
<td>Weapons and Munitions Technology</td>
<td>35,549</td>
<td>35,549</td>
<td>40,549</td>
<td>2,500</td>
<td>38,049</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Single Alloy Tungsten Penetrator</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>18</td>
<td>0602705A</td>
<td>Electronics and Electronic Devices</td>
<td>27,819</td>
<td>36,819</td>
<td>31,319</td>
<td>2,000</td>
<td>29,819</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Advanced High Definition Display Technology</td>
<td></td>
<td></td>
<td>[4,000]</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Hybrid Battery-fuel Cell &amp; Other Fuel Cell Power Source Technology</td>
<td></td>
<td></td>
<td>[5,000]</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Actuated Coolers for Portable Military Applications</td>
<td></td>
<td></td>
<td></td>
<td>[1,000]</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Ground Vehicle Battery</td>
<td></td>
<td></td>
<td>[2,000]</td>
<td></td>
<td></td>
</tr>
<tr>
<td>19</td>
<td>0602709A</td>
<td>Night Vision Technology</td>
<td>20,598</td>
<td>22,598</td>
<td>20,598</td>
<td>20,598</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Combustion-driven Self-powered Eye-safe Laser</td>
<td></td>
<td></td>
<td>[2,000]</td>
<td></td>
<td></td>
</tr>
<tr>
<td>20</td>
<td>0602712A</td>
<td>Countermine Systems</td>
<td>16,689</td>
<td>16,689</td>
<td>16,689</td>
<td>16,689</td>
<td></td>
</tr>
<tr>
<td>21</td>
<td>0602716A</td>
<td>Human Factors Engineering Technology</td>
<td>16,466</td>
<td>27,266</td>
<td>16,466</td>
<td>5,500</td>
<td>21,966</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Emergency Team Coordination Program (MedicTeam)</td>
<td></td>
<td></td>
<td>[7,800]</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Soldier-centered Design Tools for Army Transformation</td>
<td></td>
<td></td>
<td>[3,500]</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>[3,000]</td>
<td></td>
<td></td>
</tr>
<tr>
<td>22</td>
<td>0602720A</td>
<td>Environmental Quality Technology</td>
<td>16,150</td>
<td>16,150</td>
<td>16,150</td>
<td>16,150</td>
<td></td>
</tr>
<tr>
<td>23</td>
<td>0602782A</td>
<td>Command, Control, Communications Technology</td>
<td>24,342</td>
<td>24,342</td>
<td>25,342</td>
<td>24,342</td>
<td></td>
</tr>
</tbody>
</table>
## Title II - RDT and E

(Dollars in Thousands)

<table>
<thead>
<tr>
<th>Line No.</th>
<th>Program No.</th>
<th>Program Title</th>
<th>FY 2002 Request</th>
<th>House Authorized</th>
<th>Senate Authorized</th>
<th>Conference Change</th>
<th>Conference Authorized</th>
</tr>
</thead>
<tbody>
<tr>
<td>24</td>
<td>0602783A</td>
<td>Computer and Software Technology</td>
<td>6,154</td>
<td>6,154</td>
<td>6,154</td>
<td>6,154</td>
<td></td>
</tr>
<tr>
<td>25</td>
<td>0602784A</td>
<td>Military Engineering Technology</td>
<td>42,850</td>
<td>45,850</td>
<td>45,850</td>
<td>2,000</td>
<td>44,850</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Brooks AFH Energy &amp; Sustainability Lab</td>
<td></td>
<td>[3,000]</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Geosciences and Atmospheric Research</td>
<td></td>
<td>[3,000]</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>26</td>
<td>0602785A</td>
<td>Manpower/Personnel/Training Technology</td>
<td>16,315</td>
<td>16,315</td>
<td>16,315</td>
<td>2,000</td>
<td>16,315</td>
</tr>
<tr>
<td>27</td>
<td>0602786A</td>
<td>Warfighter Technology</td>
<td>27,061</td>
<td>30,061</td>
<td>27,061</td>
<td>27,061</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Combat Ready Food Safety for Improved Meals Ready-to-eat (MREs) Processing</td>
<td></td>
<td>[3,000]</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>28</td>
<td>0602787A</td>
<td>Medical Technology</td>
<td>82,494</td>
<td>91,494</td>
<td>85,494</td>
<td>2,000</td>
<td>84,494</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Hemoglobin-based Oxygen Carrier</td>
<td></td>
<td>[7,000]</td>
<td></td>
<td>[2,000]</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Metabolically Engineered Tissues for Trauma Care</td>
<td></td>
<td>[2,000]</td>
<td></td>
<td>[2,000]</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Arthropod-borne Infectious Disease Control</td>
<td></td>
<td>[3,000]</td>
<td></td>
<td>[3,000]</td>
<td></td>
</tr>
<tr>
<td>29</td>
<td>0602789A</td>
<td>ARMY Artificial Intelligence Technology</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>30</td>
<td>0602805A</td>
<td>Dual Use Science and Technology</td>
<td>10,045</td>
<td>10,045</td>
<td>10,045</td>
<td>10,045</td>
<td></td>
</tr>
<tr>
<td>31</td>
<td>0603001A</td>
<td>Warfighter Advanced Technology</td>
<td>60,332</td>
<td>86,425</td>
<td>65,332</td>
<td>1,500</td>
<td>61,832</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Rapid Acquisition Program For Transformation (RAPFT)</td>
<td></td>
<td>[2,500]</td>
<td></td>
<td>[2,500]</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Transfer from PE 23761A (RDA 160) -- RAPFT</td>
<td></td>
<td>[23,593]</td>
<td></td>
<td>[23,593]</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Personal Warfighter Navigation - MEMS</td>
<td></td>
<td>[5,000]</td>
<td></td>
<td>[5,000]</td>
<td></td>
</tr>
<tr>
<td>32</td>
<td>0603002A</td>
<td>Medical Advanced Technology</td>
<td>17,541</td>
<td>23,541</td>
<td>17,541</td>
<td>5,000</td>
<td>22,541</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Special Operations Medical Diagnostic System (SOMDS)</td>
<td></td>
<td>[1,000]</td>
<td></td>
<td>[1,000]</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Volumetrically Controlled Manufacturing</td>
<td></td>
<td>[5,000]</td>
<td></td>
<td>[5,000]</td>
<td></td>
</tr>
<tr>
<td>Line No.</td>
<td>Program Element</td>
<td>Program Title</td>
<td>FY2002 Request</td>
<td>House Authorized</td>
<td>Senate Authorized</td>
<td>Conference Agreement Change</td>
<td>Authorized</td>
</tr>
<tr>
<td>---------</td>
<td>-----------------</td>
<td>-------------------------------------------------------------------------------</td>
<td>-----------------</td>
<td>------------------</td>
<td>-------------------</td>
<td>-----------------------------</td>
<td>------------</td>
</tr>
<tr>
<td>33</td>
<td>0603003A</td>
<td>Aviation Advanced Technology</td>
<td>44,843</td>
<td>35,843</td>
<td>47,843</td>
<td>-9,000</td>
<td>44,843</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Reduction to Support Higher Transformation Priorities</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>UAV Wideband Radio Frequency Network</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>34</td>
<td>0603004A</td>
<td>Weapons and Munitions Advanced Technology</td>
<td>29,684</td>
<td>51,684</td>
<td>29,684</td>
<td>5,000</td>
<td>34,684</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Affordable, Large Caliber Training Ammunition</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Trajectory Correctable Munition</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>35</td>
<td>0603005A</td>
<td>Combat Vehicle and Automotive Advanced Technology</td>
<td>193,858</td>
<td>201,858</td>
<td>211,858</td>
<td>13,000</td>
<td>206,858</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Army Medium Brigade Composite Bridge</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Conversion of Technical Manuals</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>National Automotive Center Standardized Exchange of Product Data (N-STEP)</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Decrease</td>
<td></td>
<td></td>
<td></td>
<td>-10,000</td>
<td></td>
</tr>
<tr>
<td>36</td>
<td>0603006A</td>
<td>Command, Control, Communications Advanced Technology</td>
<td>31,865</td>
<td>31,865</td>
<td>31,865</td>
<td></td>
<td>31,865</td>
</tr>
<tr>
<td>37</td>
<td>0603007A</td>
<td>Manpower, Personnel and Training Advanced Technology</td>
<td>3,120</td>
<td>3,120</td>
<td>3,120</td>
<td></td>
<td>3,120</td>
</tr>
<tr>
<td>38</td>
<td>0603009A</td>
<td>TRACTOR HIKE</td>
<td>10,415</td>
<td>10,415</td>
<td>10,415</td>
<td></td>
<td>10,415</td>
</tr>
<tr>
<td>39</td>
<td>0603017A</td>
<td>TRACTOR RED</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>40</td>
<td>0603020A</td>
<td>TRACTOR ROSE</td>
<td>9,293</td>
<td>9,293</td>
<td>9,293</td>
<td></td>
<td>9,293</td>
</tr>
<tr>
<td>41</td>
<td>0603105A</td>
<td>Military HIV Research</td>
<td>5,937</td>
<td>5,937</td>
<td>5,937</td>
<td></td>
<td>5,937</td>
</tr>
<tr>
<td>42</td>
<td>0603122A</td>
<td>TRACTOR HIP</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Line No.</td>
<td>Program Element</td>
<td>Program Title</td>
<td>FY2002 Request</td>
<td>House Authorized</td>
<td>Senate Authorized</td>
<td>Conference Agreement</td>
<td></td>
</tr>
<tr>
<td>---------</td>
<td>----------------</td>
<td>-------------------------------------------------------------------------------</td>
<td>----------------</td>
<td>------------------</td>
<td>-------------------</td>
<td>----------------------</td>
<td></td>
</tr>
<tr>
<td>43</td>
<td>0603238A</td>
<td>Global Surveillance/Air Defense/Precision Strike Technology Demonstration</td>
<td>32,267</td>
<td>32,267</td>
<td>32,267</td>
<td>32,267</td>
<td></td>
</tr>
<tr>
<td>44</td>
<td>0603270A</td>
<td>EW Technology</td>
<td>13,868</td>
<td>13,868</td>
<td>13,868</td>
<td>13,868</td>
<td></td>
</tr>
<tr>
<td>45</td>
<td>0603311A</td>
<td>Missile and Rocket Advanced Technology</td>
<td>59,518</td>
<td>68,018</td>
<td>59,518</td>
<td>2,500, 62,018</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Army Composites Manufacturing and Maintenance Program</td>
<td></td>
<td></td>
<td></td>
<td>[5,000]</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Aerospace Applications of Volumetrically Controlled Manufacturing</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>(VCM) Composites Technology</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>46</td>
<td>0603322A</td>
<td>TRACTOR CAGE</td>
<td>3,312</td>
<td>3,312</td>
<td>3,312</td>
<td>3,312</td>
<td></td>
</tr>
<tr>
<td>47</td>
<td>0603606A</td>
<td>Landmine Warfare and Barrier Advanced Technology</td>
<td>23,062</td>
<td>23,062</td>
<td>23,062</td>
<td>23,062</td>
<td></td>
</tr>
<tr>
<td>48</td>
<td>0603607A</td>
<td>Joint Service Small Arms Program</td>
<td>5,828</td>
<td>5,828</td>
<td>5,828</td>
<td>5,828</td>
<td></td>
</tr>
<tr>
<td>49</td>
<td>0603654A</td>
<td>Line-Of-Sight Technology Demonstration</td>
<td>57,384</td>
<td>57,384</td>
<td>57,384</td>
<td>57,384</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Transfer from Missile Procurement, Army</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>50</td>
<td>0603710A</td>
<td>Night Vision Advanced Technology</td>
<td>37,081</td>
<td>49,081</td>
<td>37,081</td>
<td>7,500, 44,581</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Dual Use Helmet Mounted Infrared Sensor Technology</td>
<td></td>
<td></td>
<td></td>
<td>[3,000]</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Digital Fusion of Image Intensification &amp; Infrared Technology</td>
<td></td>
<td></td>
<td></td>
<td>[2,500]</td>
<td></td>
</tr>
<tr>
<td>51</td>
<td>0603728A</td>
<td>Environmental Quality Technology Demonstrations</td>
<td>4,826</td>
<td>4,826</td>
<td>4,826</td>
<td>4,826</td>
<td></td>
</tr>
<tr>
<td>52</td>
<td>0603734A</td>
<td>Military Engineering Advanced Technology</td>
<td>4,747</td>
<td>4,747</td>
<td>4,747</td>
<td>4,747</td>
<td></td>
</tr>
<tr>
<td>53</td>
<td>0603772A</td>
<td>Advanced Tactical Computer Science and Sensor Technology</td>
<td>18,513</td>
<td>18,513</td>
<td>18,513</td>
<td>18,513</td>
<td></td>
</tr>
</tbody>
</table>
Title II - RDT and E  
(Dollars in Thousands)

<table>
<thead>
<tr>
<th>Line No.</th>
<th>Program No.</th>
<th>Program Title</th>
<th>FY2002 Request</th>
<th>House Authorized</th>
<th>Senate Authorized</th>
<th>Change</th>
<th>Conference Agreement Authorized</th>
</tr>
</thead>
<tbody>
<tr>
<td>54</td>
<td>0603308A</td>
<td>Army Missile Defense Systems Integration (Dem/Val)</td>
<td>19,491</td>
<td>31,491</td>
<td>19,491</td>
<td>3,000</td>
<td>22,491</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Family of Systems Simulators (FOSSIM)</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>P3 Micro-power Devices for Missile Defense Applications</td>
<td>[3,000]</td>
<td>[1,000]</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Super-cluster Distributed Memory Technology Demonstration</td>
<td>[4,000]</td>
<td>[1,000]</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Thermionic Technology</td>
<td>[3,000]</td>
<td>[1,000]</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Management Savings</td>
<td>[-1,000]</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>55</td>
<td>0603619A</td>
<td>Landmine Warfare and Barrier - Adv Dev</td>
<td>21,651</td>
<td>21,651</td>
<td>21,651</td>
<td>21,651</td>
<td></td>
</tr>
<tr>
<td>56</td>
<td>0603639A</td>
<td>Tank and Medium Caliber Ammunition</td>
<td>32,986</td>
<td>45,000</td>
<td>38,986</td>
<td>3,000</td>
<td>35,986</td>
</tr>
<tr>
<td></td>
<td></td>
<td>XM 1007 Anti-tank Round</td>
<td>[15,000]</td>
<td>[3,000]</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Reduction to Support Higher Transformation Priorities</td>
<td>[-2,986]</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Transfer from PE 23761A (RDA 160) -- XM 1028 cartridge</td>
<td>[6,000]</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>57</td>
<td>0603653A</td>
<td>Advanced Tank Armorment System (ATAS)</td>
<td>101,461</td>
<td>101,461</td>
<td>101,461</td>
<td>101,461</td>
<td></td>
</tr>
<tr>
<td>58</td>
<td>0603713A</td>
<td>Army Data Distribution System</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>59</td>
<td>0603747A</td>
<td>Soldier Support and Survivability</td>
<td>17,482</td>
<td>14,000</td>
<td>17,482</td>
<td>17,482</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Reduction to Support Higher Transformation Priorities</td>
<td>[-3,482]</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>61</td>
<td>0603774A</td>
<td>Night Vision Systems Advanced Development</td>
<td>12,756</td>
<td>10,000</td>
<td>12,756</td>
<td>12,756</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Reduction to Support Higher Transformation Priorities</td>
<td>[-2,756]</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
### Title II - RDT and E

(Dollars in Thousands)

<table>
<thead>
<tr>
<th>Line No.</th>
<th>Program No.</th>
<th>Program Title</th>
<th>FY2002 Request</th>
<th>House Authorized</th>
<th>Senate Authorized</th>
<th>Conference Agreement Change</th>
<th>Authorized</th>
</tr>
</thead>
<tbody>
<tr>
<td>62</td>
<td>0603779A</td>
<td>Environmental Quality Technology Dem/Val</td>
<td>7,536</td>
<td>14,036</td>
<td>11,536</td>
<td>7,000</td>
<td>14,536</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Asbestos Removal Pilot Project</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Porta Bella Environmental Technology</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Decrease</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Plasma Energy Pyrolysis System (PEPS)</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Managing Army Technology Environmental Enhancement Program</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>63</td>
<td>0603782A</td>
<td>Warfighter Information Network-Tactical - (Dem/Val)</td>
<td>15,075</td>
<td>10,075</td>
<td>15,075</td>
<td>15,075</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Reduction to Support Higher Transformation Priorities</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>64</td>
<td>0603790A</td>
<td>NATO Research and Development</td>
<td>8,633</td>
<td>8,633</td>
<td>8,633</td>
<td>8,633</td>
<td></td>
</tr>
<tr>
<td>65</td>
<td>0603801A</td>
<td>Aviation - Adv Dev</td>
<td>9,105</td>
<td>19,105</td>
<td>9,105</td>
<td>9,105</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>PRC-112 Survival Radio Improvements</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>67</td>
<td>0603804A</td>
<td>Logistics and Engineer Equipment - Adv Dev</td>
<td>7,456</td>
<td>7,456</td>
<td>7,456</td>
<td>7,456</td>
<td></td>
</tr>
<tr>
<td>68</td>
<td>0603805A</td>
<td>Combat Service Support Control System Evaluation and Analysis</td>
<td>8,696</td>
<td>8,696</td>
<td>8,696</td>
<td>8,696</td>
<td></td>
</tr>
<tr>
<td>69</td>
<td>0603807A</td>
<td>Medical Systems - Adv Dev</td>
<td>15,506</td>
<td>18,506</td>
<td>15,506</td>
<td>1,000</td>
<td>16,506</td>
</tr>
<tr>
<td></td>
<td></td>
<td>International Medical Program Global Satellite System (IMPSS)</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>70</td>
<td>0603850A</td>
<td>Integrated Broadcast Service (IMIP/DISTP)</td>
<td>1,985</td>
<td>1,985</td>
<td>1,985</td>
<td>1,985</td>
<td></td>
</tr>
<tr>
<td>71</td>
<td>0603851A</td>
<td>TRACTOR CAGE: (Dem/Val)</td>
<td>3,718</td>
<td>3,718</td>
<td>3,718</td>
<td>3,718</td>
<td></td>
</tr>
<tr>
<td>72</td>
<td>0603854A</td>
<td>Artillery Systems - Dem/Val</td>
<td>447,949</td>
<td>447,949</td>
<td>447,949</td>
<td>447,949</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Crusader Technology for Weight &amp; Production Cost Reduction</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Management Savings</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>73</td>
<td>0603856A</td>
<td>SCAMP Block II - Dem/Val</td>
<td>9,895</td>
<td>9,895</td>
<td>9,895</td>
<td>9,895</td>
<td></td>
</tr>
</tbody>
</table>
# Title II - RDT and E

(Dollars in Thousands)

<table>
<thead>
<tr>
<th>Line No.</th>
<th>Program Element</th>
<th>Program Title</th>
<th>FY2002 Request</th>
<th>House Authorized</th>
<th>Senate Authorized</th>
<th>Change</th>
<th>Conference Agreement Authorized</th>
</tr>
</thead>
<tbody>
<tr>
<td>74</td>
<td>0603869A</td>
<td>MEADS Concepts - Dem/Val Transfer to PE 63881C (RDDW 75)</td>
<td>73,645</td>
<td>73,645</td>
<td>[-73,645]</td>
<td>[-73,645]</td>
<td></td>
</tr>
<tr>
<td>75</td>
<td>0604201A</td>
<td>Aircraft Avionics</td>
<td>57,474</td>
<td>57,474</td>
<td>57,474</td>
<td>57,474</td>
<td></td>
</tr>
<tr>
<td>76</td>
<td>0604220A</td>
<td>Armed, Deployable OH-58D</td>
<td>2,345</td>
<td>2,345</td>
<td>2,345</td>
<td>2,345</td>
<td></td>
</tr>
<tr>
<td>77</td>
<td>0604223A</td>
<td>Comanche</td>
<td>787,866</td>
<td>816,166</td>
<td>816,166</td>
<td>28,300</td>
<td>816,166</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Transfer from Missile Procurement, Army</td>
<td></td>
<td></td>
<td></td>
<td>[28,500]</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Accelerate Development of Communications Suite</td>
<td></td>
<td></td>
<td></td>
<td>[28,300]</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Transfer from MPA -- Accelerate Comms Suite Development</td>
<td></td>
<td></td>
<td></td>
<td>[28,300]</td>
<td></td>
</tr>
<tr>
<td>78</td>
<td>0604270A</td>
<td>EW Development</td>
<td>57,010</td>
<td>66,010</td>
<td>57,010</td>
<td>4,000</td>
<td>61,010</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Upgrade Army test facilities to test ALL-64D/ATIRCM/CMWS against</td>
<td></td>
<td></td>
<td></td>
<td>[9,000]</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>multi-mode missile seekers</td>
<td></td>
<td></td>
<td></td>
<td>[4,000]</td>
<td></td>
</tr>
<tr>
<td>79</td>
<td>0604280A</td>
<td>Joint Tactical Radio</td>
<td>80,449</td>
<td>80,449</td>
<td>80,449</td>
<td>80,449</td>
<td></td>
</tr>
<tr>
<td>80</td>
<td>0604321A</td>
<td>All Source Analysis System</td>
<td>42,166</td>
<td>45,666</td>
<td>42,166</td>
<td>1,500</td>
<td>43,666</td>
</tr>
<tr>
<td></td>
<td></td>
<td>ASAS - Light Interoperability with Other Automated Battle Management</td>
<td></td>
<td></td>
<td></td>
<td>[1,500]</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Systems</td>
<td></td>
<td></td>
<td></td>
<td>[1,500]</td>
<td></td>
</tr>
<tr>
<td>81</td>
<td>0604328A</td>
<td>TRACTOR CAGE</td>
<td>3,888</td>
<td>3,888</td>
<td>5,168</td>
<td>3,888</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Transfer from PE 23761A (RDA 160) -- Classified Program</td>
<td></td>
<td></td>
<td></td>
<td>[1,280]</td>
<td></td>
</tr>
<tr>
<td>82</td>
<td>0604329A</td>
<td>Common Missile</td>
<td>16,731</td>
<td>16,731</td>
<td>16,731</td>
<td>16,731</td>
<td></td>
</tr>
<tr>
<td>83</td>
<td>0604601A</td>
<td>Infantry Support Weapons</td>
<td>5,000</td>
<td></td>
<td></td>
<td>5,000</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>XM 303 Semi-automatic Delivery System</td>
<td></td>
<td></td>
<td></td>
<td>[5,000]</td>
<td></td>
</tr>
<tr>
<td>84</td>
<td>0604604A</td>
<td>Medium Tactical Vehicles</td>
<td>1,962</td>
<td>1,962</td>
<td>1,962</td>
<td>1,962</td>
<td></td>
</tr>
<tr>
<td>85</td>
<td>0604609A</td>
<td>Smoke, Obscurant and Target Defeating Sys-Eng Dev</td>
<td>7,920</td>
<td>7,920</td>
<td>7,920</td>
<td>7,920</td>
<td></td>
</tr>
</tbody>
</table>
### Title II - RDT and E

(Dollars in Thousands)

<table>
<thead>
<tr>
<th>Line No.</th>
<th>Program Element</th>
<th>Program Title</th>
<th>FY2002 Request</th>
<th>House Authorized</th>
<th>Senate Authorized</th>
<th>Conference Change</th>
<th>Agreement Authorized</th>
</tr>
</thead>
<tbody>
<tr>
<td>86</td>
<td>0604611A</td>
<td>JAVELIN</td>
<td>492</td>
<td>5,694</td>
<td>5,692</td>
<td>5,200</td>
<td>5,692</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Transfer from Missile Procurement, Army</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Software &amp; Hardware Mods to Counteract Active Protection Systems</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Transfer from MPA -- Mods to Counteract Active Protection Systems</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>87</td>
<td>0604619A</td>
<td>Landmine Warfare</td>
<td>18,938</td>
<td>18,938</td>
<td>18,938</td>
<td>18,938</td>
<td>18,938</td>
</tr>
<tr>
<td>88</td>
<td>0604622A</td>
<td>Family of Heavy Tactical Vehicles</td>
<td>3,000</td>
<td>3,000</td>
<td>1,500</td>
<td>1,500</td>
<td>1,500</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Develop Movement Tracking System Interfaces with Other Systems</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>89</td>
<td>0604633A</td>
<td>Air Traffic Control</td>
<td>2,197</td>
<td>2,197</td>
<td>2,197</td>
<td>2,197</td>
<td>2,197</td>
</tr>
<tr>
<td>90</td>
<td>0604641A</td>
<td>Tactical Unmanned Ground Vehicle (TUGV)</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>91</td>
<td>0604642A</td>
<td>Light Tactical Wheeled Vehicles</td>
<td>2,523</td>
<td>2,523</td>
<td>2,523</td>
<td>2,523</td>
<td>2,523</td>
</tr>
<tr>
<td>92</td>
<td>0604645A</td>
<td>Armored Systems Modernization (ASM) - Eng Dev</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>93</td>
<td>0604649A</td>
<td>Engineer Mobility Equipment Development</td>
<td>9,279</td>
<td>9,279</td>
<td>9,279</td>
<td>9,279</td>
<td>9,279</td>
</tr>
<tr>
<td>94</td>
<td>0604710A</td>
<td>Night Vision Systems - Eng Dev</td>
<td>24,201</td>
<td>24,201</td>
<td>28,361</td>
<td>2,000</td>
<td>26,201</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Develop Enhanced, Reduced-size Goggles</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Transfer from PL 23761A (RDA 160) -- Digital Reconnaissance, Surveillance &amp; Target Acquisition System (DRSTA)</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>95</td>
<td>0604713A</td>
<td>Combat Feeding, Clothing, and Equipment</td>
<td>91,002</td>
<td>91,002</td>
<td>93,702</td>
<td>2,160</td>
<td>91,002</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Transfer from PL 23761A (RDA 160) -- Authorized Stockage List Mobility System (ASILMS)</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>96</td>
<td>0604715A</td>
<td>Non-System Training Devices - Eng Dev</td>
<td>26,319</td>
<td>26,319</td>
<td>26,319</td>
<td>26,319</td>
<td>26,319</td>
</tr>
<tr>
<td>97</td>
<td>0604716A</td>
<td>Terrain Information - Eng Dev</td>
<td>8,840</td>
<td>8,840</td>
<td>8,840</td>
<td>8,840</td>
<td>8,840</td>
</tr>
<tr>
<td>98</td>
<td>0604726A</td>
<td>Integrated Meteorological Support System</td>
<td>1,911</td>
<td>1,911</td>
<td>1,911</td>
<td>1,911</td>
<td>1,911</td>
</tr>
<tr>
<td>99</td>
<td>0604738A</td>
<td>JSIMS Core Program</td>
<td>30,985</td>
<td>30,985</td>
<td>30,985</td>
<td>30,985</td>
<td>30,985</td>
</tr>
</tbody>
</table>
### Title II - RDT and E

(Dollars in Thousands)

<table>
<thead>
<tr>
<th>Line No.</th>
<th>Program Element</th>
<th>Program Title</th>
<th>FY2002 Request</th>
<th>House Authorized</th>
<th>Senate Authorized</th>
<th>Conference Agreement Change</th>
<th>Authorized</th>
</tr>
</thead>
<tbody>
<tr>
<td>100</td>
<td>0604739A Integrated Broadcast Service</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>101</td>
<td>0604741A Air Defense Command, Control and Intelligence - Eng Dev</td>
<td></td>
<td>18,233</td>
<td>18,233</td>
<td>18,233</td>
<td></td>
<td>18,233</td>
</tr>
<tr>
<td>102</td>
<td>0604742A Constructive Simulation Systems Development</td>
<td></td>
<td>66,164</td>
<td>66,164</td>
<td>66,164</td>
<td></td>
<td></td>
</tr>
<tr>
<td>103</td>
<td>0604746A Automatic Test Equipment Development</td>
<td></td>
<td>11,582</td>
<td>11,582</td>
<td>11,582</td>
<td></td>
<td>11,582</td>
</tr>
<tr>
<td>104</td>
<td>0604760A Distributive Interactive Simulations (DIS) - Eng Dev</td>
<td></td>
<td>26,058</td>
<td>26,058</td>
<td>26,058</td>
<td></td>
<td>26,058</td>
</tr>
<tr>
<td>105</td>
<td>0604766A Tactical Surveillance Systems - Eng Dev</td>
<td></td>
<td>68,205</td>
<td>68,205</td>
<td>68,205</td>
<td></td>
<td>68,205</td>
</tr>
<tr>
<td>106</td>
<td>0604768A Brilliant Anti-Armor Submunition (BAT)</td>
<td>Transfer from MPA 11 -- Additional ATACMS / BAT Development Testing</td>
<td>123,899</td>
<td>132,899</td>
<td>132,899</td>
<td>9,000</td>
<td>132,899</td>
</tr>
<tr>
<td>107</td>
<td>0604770A Joint Surveillance/Target Attack Radar System</td>
<td></td>
<td>8,093</td>
<td>8,093</td>
<td>8,093</td>
<td></td>
<td></td>
</tr>
<tr>
<td>108</td>
<td>0604778A Positioning Systems Development (SPACE)</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>109</td>
<td>0604780A Combined Arms Tactical Trainer (CATT) Core</td>
<td></td>
<td>13,645</td>
<td>13,645</td>
<td>13,645</td>
<td></td>
<td>13,645</td>
</tr>
<tr>
<td>110</td>
<td>0604783A Joint Network Management System</td>
<td></td>
<td>26,130</td>
<td>26,130</td>
<td>26,130</td>
<td></td>
<td>26,130</td>
</tr>
<tr>
<td>111</td>
<td>0604801A Aviation - Eng Dev</td>
<td>Cockpit Air Bag System (CABS) for C11-47 Upgrade Program</td>
<td>2,263</td>
<td>4,763</td>
<td>2,263</td>
<td>2,500</td>
<td>4,763</td>
</tr>
<tr>
<td>112</td>
<td>0604802A Weapons and Munitions - Eng Dev</td>
<td>M240D Helicopter Door mounted Machine Gun Testing &amp; Certification</td>
<td>7,046</td>
<td>10,546</td>
<td>7,046</td>
<td></td>
<td>7,046</td>
</tr>
<tr>
<td>113</td>
<td>0604804A Logistics and Engineer Equipment - Eng Dev</td>
<td>Transfer from PE 23761A (RDA 160) -- Unit Water Pod (CAMEL)</td>
<td>30,673</td>
<td>32,873</td>
<td>1,200</td>
<td></td>
<td>31,873</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Transfer from PE 23761A (RDA 160) -- Load Handling System</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Compatible Water Tankrack (HIPPO)</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>114</td>
<td>0604805A Command, Control, Communications Systems - Eng Dev</td>
<td>Applied Communications &amp; Information Networking (ACIN) Program</td>
<td>122,644</td>
<td>137,644</td>
<td>122,644</td>
<td>10,000</td>
<td>132,644</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>[15,000]</td>
<td>[15,000]</td>
<td>[15,000]</td>
<td></td>
<td>[15,000]</td>
</tr>
</tbody>
</table>
## Title II - RDT and E

(Dollars in Thousands)

<table>
<thead>
<tr>
<th>Line No.</th>
<th>Program Element</th>
<th>Program Title</th>
<th>FY2002 Request</th>
<th>House Authorized</th>
<th>Senate Authorized</th>
<th>Conference Agreement Change</th>
<th>Conference Agreement Authorized</th>
</tr>
</thead>
<tbody>
<tr>
<td>115</td>
<td>0604807A</td>
<td>Medical Materiel/Medical Biological Defense Equipment - Eng Dev</td>
<td>8,228</td>
<td>8,228</td>
<td>8,228</td>
<td></td>
<td>8,228</td>
</tr>
<tr>
<td>116</td>
<td>0604808A</td>
<td>Landmine Warfare/Barrier - Eng Dev</td>
<td>89,153</td>
<td>69,153</td>
<td>69,153</td>
<td>(20,000)</td>
<td>69,153</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Use Unobligated FY 01 Funds for FY 02 Program Requirements</td>
<td></td>
<td></td>
<td></td>
<td>[-20,000]</td>
<td></td>
</tr>
<tr>
<td>117</td>
<td>0604811A</td>
<td>Artillery Munitions - EMD</td>
<td>67,258</td>
<td>67,258</td>
<td>67,258</td>
<td></td>
<td>67,258</td>
</tr>
<tr>
<td>118</td>
<td>0604817A</td>
<td>Combat Identification</td>
<td>3,014</td>
<td>3,014</td>
<td>3,014</td>
<td></td>
<td>3,014</td>
</tr>
<tr>
<td>119</td>
<td>0604818A</td>
<td>Army Tactical Command &amp; Control Hardware &amp; Software</td>
<td>50,887</td>
<td>50,887</td>
<td>55,297</td>
<td></td>
<td>50,887</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Transfer from PE 23761A (RDA 160) - Information Dissemination Management - Tactical (IDM - T)</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>120</td>
<td>0604819A</td>
<td>LOSAT</td>
<td>21,596</td>
<td>21,596</td>
<td>21,596</td>
<td></td>
<td>21,596</td>
</tr>
<tr>
<td>121</td>
<td>0604820A</td>
<td>Radar Development</td>
<td>5,162</td>
<td>5,162</td>
<td>5,162</td>
<td></td>
<td>5,162</td>
</tr>
<tr>
<td>122</td>
<td>0604823A</td>
<td>Firefinder</td>
<td>26,956</td>
<td>26,956</td>
<td>26,956</td>
<td></td>
<td>26,956</td>
</tr>
<tr>
<td>123</td>
<td>0604854A</td>
<td>Artillery Systems - EMD</td>
<td>62,481</td>
<td>62,481</td>
<td>62,481</td>
<td></td>
<td>62,481</td>
</tr>
<tr>
<td>124</td>
<td>0604865A</td>
<td>Patriot PAC-3 Theater Missile Defense Acquisition - EMD</td>
<td>107,100</td>
<td>107,100</td>
<td>(107,100)</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Transfer to PE 63881C (RDDW 75)</td>
<td></td>
<td></td>
<td></td>
<td>[-107,100]</td>
<td>[-107,100]</td>
</tr>
<tr>
<td>125</td>
<td>0605013A</td>
<td>Information Technology Development</td>
<td>98,178</td>
<td>98,178</td>
<td>98,178</td>
<td></td>
<td>98,178</td>
</tr>
<tr>
<td>126</td>
<td>0604256A</td>
<td>Threat Simulator Development</td>
<td>16,011</td>
<td>16,011</td>
<td>16,011</td>
<td></td>
<td>16,011</td>
</tr>
<tr>
<td>127</td>
<td>0604258A</td>
<td>Target Systems Development</td>
<td>25,212</td>
<td>25,212</td>
<td>25,212</td>
<td></td>
<td>25,212</td>
</tr>
<tr>
<td>128</td>
<td>0604759A</td>
<td>Major T&amp;E Investment</td>
<td>49,897</td>
<td>49,897</td>
<td>49,897</td>
<td></td>
<td>49,897</td>
</tr>
<tr>
<td>129</td>
<td>0605103A</td>
<td>Rand Arroyo Center</td>
<td>19,972</td>
<td>19,972</td>
<td>19,972</td>
<td></td>
<td>19,972</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Reduction to Support Higher Transformation Priorities</td>
<td></td>
<td></td>
<td></td>
<td>[-3,000]</td>
<td>[-3,000]</td>
</tr>
<tr>
<td>130</td>
<td>0605301A</td>
<td>Army Kwajalein Atoll</td>
<td>150,071</td>
<td>150,071</td>
<td>150,071</td>
<td></td>
<td>150,071</td>
</tr>
</tbody>
</table>
### Title II - RDT and E

(Dollars in Thousands)

<table>
<thead>
<tr>
<th>Line No.</th>
<th>Program Element</th>
<th>Program Title</th>
<th>FY2002 Request</th>
<th>House Authorized</th>
<th>Senate Authorized</th>
<th>Conference Agreement Change</th>
<th>Authorized</th>
</tr>
</thead>
<tbody>
<tr>
<td>131</td>
<td>0605326A</td>
<td>Concepts Experimentation Program</td>
<td>33,067</td>
<td>25,567</td>
<td>33,067</td>
<td>2,000</td>
<td>35,067</td>
</tr>
<tr>
<td></td>
<td></td>
<td>MANPRINT Analysis</td>
<td></td>
<td>[2,500]</td>
<td>[2,000]</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Reduction to Support Higher Transformation Priorities</td>
<td></td>
<td>[-10,000]</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>132</td>
<td>0605502A</td>
<td>Small Business Innovative Research</td>
<td>114,411</td>
<td>114,411</td>
<td>114,411</td>
<td></td>
<td>114,411</td>
</tr>
<tr>
<td>133</td>
<td>0605601A</td>
<td>Army Test Ranges and Facilities</td>
<td>34,259</td>
<td>34,259</td>
<td>34,259</td>
<td></td>
<td></td>
</tr>
<tr>
<td>134</td>
<td>0605602A</td>
<td>Army Technical Test Instrumentation and Targets</td>
<td>27,794</td>
<td>32,794</td>
<td>27,794</td>
<td></td>
<td></td>
</tr>
<tr>
<td>135</td>
<td>0605604A</td>
<td>Survivability/Lethality Analysis</td>
<td>14,570</td>
<td>34,570</td>
<td>14,570</td>
<td>10,000</td>
<td>24,570</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Silent Sentry Surveillance Test</td>
<td>[10,000]</td>
<td>[10,000]</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>136</td>
<td>0605605A</td>
<td>DOD High Energy Laser Test Facility</td>
<td>3,582</td>
<td>3,582</td>
<td>3,582</td>
<td></td>
<td>3,582</td>
</tr>
<tr>
<td></td>
<td></td>
<td>High Energy Laser - Low Aspect Target Tracking (HEL-LATT)</td>
<td>[6,892]</td>
<td>[6,892]</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Tactical High Energy Laser (THEL)</td>
<td>89,047</td>
<td>89,047</td>
<td>89,047</td>
<td>2,000</td>
<td>91,047</td>
</tr>
<tr>
<td>137</td>
<td>0605606A</td>
<td>Aircraft Certification</td>
<td>6,890</td>
<td>6,890</td>
<td>6,890</td>
<td></td>
<td></td>
</tr>
<tr>
<td>138</td>
<td>0605702A</td>
<td>Meteorological Support to RDT&amp;E Activities</td>
<td>8,884</td>
<td>8,884</td>
<td>8,884</td>
<td></td>
<td></td>
</tr>
<tr>
<td>139</td>
<td>0605706A</td>
<td>Materiel Systems Analysis</td>
<td>3,525</td>
<td>3,525</td>
<td>3,525</td>
<td></td>
<td></td>
</tr>
<tr>
<td>140</td>
<td>0605709A</td>
<td>Exploitation of Foreign Items</td>
<td>3,525</td>
<td>3,525</td>
<td>3,525</td>
<td></td>
<td></td>
</tr>
<tr>
<td>141</td>
<td>0605712A</td>
<td>Support of Operational Testing</td>
<td>31,365</td>
<td>31,365</td>
<td>31,365</td>
<td></td>
<td>31,365</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Hybrid Track Technology</td>
<td>[10,000]</td>
<td>[10,000]</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>142</td>
<td>0605716A</td>
<td>Army Evaluation Center</td>
<td>69,096</td>
<td>60,096</td>
<td>87,896</td>
<td></td>
<td>69,096</td>
</tr>
<tr>
<td>143</td>
<td>0605801A</td>
<td>Programwide Activities</td>
<td>[-9,000]</td>
<td>[18,800]</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
Title II - RDT and E  
(Dollars in Thousands)

<table>
<thead>
<tr>
<th>Line No.</th>
<th>Program Element</th>
<th>Program Title</th>
<th>FY2002 Request</th>
<th>House Authorized</th>
<th>Senate Authorized</th>
<th>Conference Agreement Change</th>
<th>Authorized</th>
</tr>
</thead>
<tbody>
<tr>
<td>144</td>
<td>0605803A</td>
<td>Technical Information Activities</td>
<td>33,749</td>
<td>28,749</td>
<td>33,749</td>
<td>33,749</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Reduction to Support Higher Transformation Priorities</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>145</td>
<td>0605805A</td>
<td>Munitions Standardization, Effectiveness and Safety</td>
<td>16,072</td>
<td>16,072</td>
<td>16,072</td>
<td>16,072</td>
<td></td>
</tr>
<tr>
<td>146</td>
<td>0605856A</td>
<td>Environmental Compliance</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>147</td>
<td>0605857A</td>
<td>Environmental Quality Technology Mgmt Support</td>
<td>1,733</td>
<td>1,733</td>
<td>1,733</td>
<td>1,733</td>
<td></td>
</tr>
<tr>
<td>148</td>
<td>0605898A</td>
<td>Management Headquarters (Research and Development)</td>
<td>7,268</td>
<td>7,268</td>
<td>7,268</td>
<td>7,268</td>
<td></td>
</tr>
<tr>
<td>149</td>
<td>0909999A</td>
<td>Financing for Cancelled Account Adjustments</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>150</td>
<td>0603778A</td>
<td>MRS Product Improvement Program</td>
<td>111,389</td>
<td>111,389</td>
<td>111,389</td>
<td>111,389</td>
<td></td>
</tr>
<tr>
<td>151</td>
<td>0102419A</td>
<td>Aerostat Joint Project Office</td>
<td>30,408</td>
<td>32,408</td>
<td>30,408</td>
<td>31,008</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Lightweight, MEMS-based, X-Band Radar Antenna</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>152</td>
<td>0203610A</td>
<td>Domestic Preparedness Against Weapons of Mass Destruction</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>153</td>
<td>0203726A</td>
<td>Adv Field Artillery Tactical Data System</td>
<td>36,969</td>
<td>36,969</td>
<td>36,969</td>
<td>36,969</td>
<td></td>
</tr>
<tr>
<td>154</td>
<td>0203735A</td>
<td>Combat Vehicle Improvement Programs</td>
<td>195,602</td>
<td>203,602</td>
<td>215,602</td>
<td>215,602</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Transfer from Missile Procurement, Army</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Reduction to Support Higher Transformation Priorities</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Accelerate Hybrid Electric Power System for IAV</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>155</td>
<td>0203740A</td>
<td>Maneuver Control System</td>
<td>40,231</td>
<td>40,231</td>
<td>40,231</td>
<td>40,231</td>
<td></td>
</tr>
<tr>
<td>156</td>
<td>0203744A</td>
<td>Aircraft Modifications/Product Improvement Programs</td>
<td>143,631</td>
<td>138,631</td>
<td>165,131</td>
<td>143,631</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Reduction to Support Higher Transformation Priorities</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Buy Aerial Common Sensor Aircraft, Sensors &amp; Risk Reduction for R&amp;D Program</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
## Title II - RDT and E

(Dollars in Thousands)

<table>
<thead>
<tr>
<th>Line No.</th>
<th>Program No.</th>
<th>Program Element</th>
</tr>
</thead>
<tbody>
<tr>
<td>157</td>
<td>0203752A</td>
<td>Aircraft Engine Component Improvement Program</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Full Authority Digital Engine Control (FADEC)</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Liquid or Light End Air (LOLA) Boost Pump</td>
</tr>
<tr>
<td>158</td>
<td>0203758A</td>
<td>Digitization</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Full Scale Testing for Dismounted Situational Awareness System (DISM)</td>
</tr>
<tr>
<td>159</td>
<td>0203759A</td>
<td>Force XXI Battle Command, Brigade and Below (FBCB2)</td>
</tr>
<tr>
<td>160</td>
<td>0203761A</td>
<td>Rapid Acq Program For Transformation</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Transfer to PE 63001A (RDA 31) -- Warfighter Advanced Technology</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Transfer to PE 63639A (RDA 56) -- XM 1028 cartridge</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Transfer to PE 64328A (RDA 81) -- Classified Program</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Transfer to PE 64710A (RDA 94) -- Digital Recon, Surveillance &amp; Target Acq System (DRSTA)</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Transfer to PE 64713A (RDA 95) -- Authorized Stockage List Mobility System (ASI MS)</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Transfer to PE 64804A (RDA 113) -- Unit Water Pod (CAMEL)</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Transfer to PE 64804A (RDA 113) -- Load Handling System Compatible Water Tankrack (HIPPO)</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Transfer to PE 64818A (RDA 119) -- Information Dissemination Management - Tactical (IDM - T)</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Transfer to PE 33141A (RDA 169) -- Future Finance System</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Transfer to OPA 104 -- Future Finance System</td>
</tr>
<tr>
<td>161</td>
<td>0203801A</td>
<td>Missile/Air Defense Product Improvement Program</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>FY2002 Request</th>
<th>House Authorized</th>
<th>Senate Authorized</th>
<th>Conference Agreement Change</th>
<th>Authorized</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>13,017</td>
<td>21,017</td>
<td>23,017</td>
<td>10,000</td>
</tr>
<tr>
<td></td>
<td>[8,000]</td>
<td>[8,000]</td>
<td>[8,000]</td>
<td></td>
</tr>
<tr>
<td></td>
<td>[2,000]</td>
<td>[2,000]</td>
<td>[2,000]</td>
<td></td>
</tr>
<tr>
<td>29,302</td>
<td>31,302</td>
<td>29,302</td>
<td>2,000</td>
<td>31,302</td>
</tr>
<tr>
<td>[2,000]</td>
<td></td>
<td>[2,000]</td>
<td></td>
<td></td>
</tr>
<tr>
<td>56,872</td>
<td>56,872</td>
<td>56,872</td>
<td>56,872</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>[2,160]</td>
<td></td>
<td></td>
</tr>
<tr>
<td>23,593</td>
<td>43</td>
<td>23,593</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>[-23,593]</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>[-6,000]</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>[-1,280]</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>[-2,700]</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>[-1,200]</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>[-1,000]</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>[-4,410]</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>[-1,000]</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>[-100]</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>[-3,500]</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>8,539</td>
<td>8,539</td>
<td>8,539</td>
<td></td>
<td>8,539</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
## Title II - RDT and E

(Dollars in Thousands)

### FY2002 Request

<table>
<thead>
<tr>
<th>Line No.</th>
<th>Program Element</th>
<th>Program Title</th>
<th>House Authorized</th>
<th>Senate Authorized</th>
<th>Conference Agreement Change</th>
<th>Conference Agreement Authorized</th>
</tr>
</thead>
<tbody>
<tr>
<td>162</td>
<td>0203802A</td>
<td>Other Missile Product Improvement Programs</td>
<td>84,935</td>
<td>84,935</td>
<td></td>
<td>84,935</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Reduction to Support Higher Transformation Priorities</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>163</td>
<td>0203808A</td>
<td>TRACTOR CARD</td>
<td>6,551</td>
<td>6,551</td>
<td></td>
<td>6,551</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Transfer from Missile Procurement, Army</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>164</td>
<td>0208010A</td>
<td>Joint Tactical Communications Program (TRI-TAC)</td>
<td>21,615</td>
<td>21,615</td>
<td></td>
<td>21,615</td>
</tr>
<tr>
<td>165</td>
<td>0208053A</td>
<td>Joint Tactical Ground System</td>
<td>5,221</td>
<td>5,221</td>
<td></td>
<td>5,221</td>
</tr>
<tr>
<td>166</td>
<td>0301359A</td>
<td>Special Army Program</td>
<td>5,072</td>
<td>10,072</td>
<td></td>
<td>5,072</td>
</tr>
<tr>
<td>167</td>
<td>0303028A</td>
<td>Security and Intelligence Activities</td>
<td>452</td>
<td>452</td>
<td></td>
<td>452</td>
</tr>
<tr>
<td>168</td>
<td>0303140A</td>
<td>Information Systems Security Program</td>
<td>8,261</td>
<td>9,261</td>
<td>1,000</td>
<td>9,261</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Information Operations Training (Functional Area 30)</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>169</td>
<td>0303141A</td>
<td>Global Combat Support System</td>
<td>94,177</td>
<td>95,177</td>
<td></td>
<td>94,177</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Transfer from PE 23761A (RDA 160) -- Future Finance System</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>170</td>
<td>0303142A</td>
<td>SATCOM Ground Environment (SPACE)</td>
<td>47,647</td>
<td>47,647</td>
<td></td>
<td>47,647</td>
</tr>
<tr>
<td>171</td>
<td>0303150A</td>
<td>WWMCCS/Global Command and Control System</td>
<td>13,501</td>
<td>13,501</td>
<td></td>
<td>13,501</td>
</tr>
<tr>
<td>172</td>
<td>0305114A</td>
<td>Traffic Control, Approach and Landing System-FY 1987 and Prior</td>
<td>785</td>
<td>785</td>
<td></td>
<td>785</td>
</tr>
<tr>
<td>173</td>
<td>0305204A</td>
<td>Tactical Unmanned Aerial Vehicles</td>
<td>38,210</td>
<td>44,210</td>
<td></td>
<td>38,210</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Reflect 6 Month to 1 Year Delay in Fielding of TUAV</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>LIDAR Sensors</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>BAT / Hunter Experiment</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>[20,000]</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>[5,000]</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>[1,000]</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
Title II - RDT and E  
(Dollars in Thousands)

<table>
<thead>
<tr>
<th>Line No.</th>
<th>Program Element</th>
<th>Program Title</th>
<th>FY2002 Request</th>
<th>House Authorized</th>
<th>Senate Authorized</th>
<th>Conference Agreement Change</th>
<th>Conference Agreement Authorized</th>
</tr>
</thead>
<tbody>
<tr>
<td>174</td>
<td>0305206A</td>
<td>Airborne Reconnaissance Systems</td>
<td>6,862</td>
<td>14,862</td>
<td>6,862</td>
<td>6,000</td>
<td>12,862</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Hyperspectral Long Wave Imager</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>175</td>
<td>0305208A</td>
<td>Distributed Common Ground Systems (DMIP)</td>
<td>85,242</td>
<td>85,242</td>
<td>85,242</td>
<td>85,242</td>
<td></td>
</tr>
<tr>
<td>176</td>
<td>0708045A</td>
<td>End Item Industrial Preparedness Activities</td>
<td>45,697</td>
<td>35,697</td>
<td>45,697</td>
<td>45,697</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Reduction to Support Higher Transformation Priorities</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>177</td>
<td>1001018A</td>
<td>NATO Joint STARS</td>
<td>2,109</td>
<td>2,109</td>
<td>2,109</td>
<td>2,109</td>
<td></td>
</tr>
<tr>
<td>177a</td>
<td></td>
<td>Management Reform Initiatives</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>177b</td>
<td></td>
<td>General Reduction to RDT&amp;E, Army</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>General reduction to support Tactical High Energy Laser (THFL)</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Total, RDT&amp;E Army</td>
<td></td>
<td>6,693,920</td>
<td>6,749,025</td>
<td>6,901,670</td>
<td>(18,595)</td>
<td>6,675,325</td>
</tr>
</tbody>
</table>
Army missile defense technology

To support critical missile defense technology activities, the conferees agree that of the funding authorized in the Army research and development account, certain amounts may be used for advanced technology activities as specified below:

(1) up to $1.9 million for the Short-range missile defense With Optimal Radar Distribution (SWORD) program in PE 62303A;
(2) up to $7.6 million for Patriot ground equipment upgrades and life extension efforts in PE 23801A;
(3) up to $3.8 million for the Aerostat Design and Manufacture (ADAM) program in PE 12319A; and
(4) up to $11.0 million for the Army Space and Missile Defense Battle Lab in PE 63908A.

Comanche

The budget request contained $787.9 million in PE 64223A for continued engineering and manufacturing development (EMD) of the RAH–66 Comanche reconnaissance attack helicopter.

The conferees recommend an increase of $28.3 million for the development of a communications suite that is compatible with air and ground components in a joint environment.

The House amendment would authorize an increase of $28.5 million for a similar purpose.

The conferees agree to authorize an increase of $28.3 million in PE 64223A for this requirement.

The conferees believe the Comanche is a necessary and integral weapon system to the Army’s transformation and have been supportive of this program in past fiscal years. The Army has stated that the Comanche is its top modernization program. However, the conferees note that there has been a $3.9 million increase in research, development, test and evaluation (RDT&E) costs since fiscal year 1991. Despite these substantial cost increases, the program continues to be plagued by delays, which the conferees now understand could result in a full two-year delay of the currently scheduled initial operating capability (IOC) of December 2006 to December 2008. The conferees are disappointed to learn once again of the need to restructure and delay this program for at least a sixth time since fiscal year 1988, and the need to add approximately $1.5 billion to the program to complete EMD.

The conferees question the reliability of any new cost estimates and EMD program milestones, especially since the EMD contract was awarded only slightly over a year ago, in June 2000, and numerous changes in requirements have been made since then.

The conferees believe that as the aircraft continues in the EMD phase, an adequately funded and disciplined development program is absolutely essential to fielding this aircraft as part of the Army’s Objective Force. Therefore, the conferees expect the Secretary of the Army, in coordination with the Under Secretary of Defense for Acquisition, Technology, and Logistics, and its industry team, to present to Congress in the fiscal year 2003 budget request an accurate estimate of funds required to complete EMD and the new time line and plan for bringing the Comanche to IOC.

Rapid acquisition program for transformation

The budget request included $23.6 million in PE 23761A for the Rapid Acquisition Program for Transformation (RAPT).

The Senate bill would authorize $23.6 million for RAPT, but would transfer the funding from the RAPT program element to the program elements supporting the systems chosen by the Army for entry into the program for fiscal year 2002.

The House amendment would authorize $23.6 million for RAPT, but would transfer the funding from the RAPT program element to PE 63001A, Warfighter Advanced Technology.

The conferees agree to authorize $23.6 million for RAPT or counter-terrorism initiatives and direct the Secretary of the Army to provide a detailed list of how these funds are executed.

Thermionics technology

The budget request included $19.5 million in PE 63008A for Army missile defense systems integration, but did not include funds for thermionics technology development.

The Senate bill would authorize, of the funds authorized in PE 63882C for the Mid-course Ground Defense System, $8.0 million for thermionics technology development.

The House amendment would authorize an increase of $3.0 million in PE 63008A for thermionics technology development.

The conferees agree to authorize an increase of $1.0 million in PE 63008A for thermionics technology development. Of the amounts authorized for Army research and development, an additional $7.0 million may be used for thermionics technology development.

Research, Development, Test and Evaluation, Navy—Overview

The budget request for fiscal year 2002 included an authorization of $11,134.8 million for Research, Development, Test and Evaluation, Navy in the Department of Defense.

The Senate bill would authorize $11,134.8 million.

The House amendment would authorize $10,863.3 million.

The conferees recommended an authorization of $10,784.3 million. Unless noted explicitly in the statement of managers, all changes are made without prejudice.
- **Title II - RDT and E**
  
  (Dollars in Thousands)

<table>
<thead>
<tr>
<th>Line No.</th>
<th>Program Element</th>
<th>Program Title</th>
<th>FY 2002 Request</th>
<th>House Authorized</th>
<th>Senate Authorized</th>
<th>Conference Agreement Change</th>
<th>Authorized</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>0601152N</td>
<td>In-House Laboratory Independent Research</td>
<td>16,291</td>
<td>16,291</td>
<td>16,291</td>
<td></td>
<td>16,291</td>
</tr>
<tr>
<td></td>
<td></td>
<td>High frequency / high power wide bandgap semiconductor electronics technology (Fence–Non-add)</td>
<td></td>
<td></td>
<td></td>
<td>[5,000]</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Southeast Atlantic Coastal Ocean Observing System (SEA-COOS)</td>
<td></td>
<td></td>
<td></td>
<td>[8,000]</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Marine Mammal Low Frequency Sound Research</td>
<td></td>
<td></td>
<td></td>
<td>[1,000]</td>
<td></td>
</tr>
<tr>
<td>3</td>
<td>0602111N</td>
<td>Air and Surface Launched Weapons Technology</td>
<td>44,092</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Transfer from PE 62123N (RDN 7) -- Restore FY 01 PE Structure</td>
<td></td>
<td></td>
<td></td>
<td>[44,092]</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Embedded Software Engineering Research Initiative</td>
<td></td>
<td></td>
<td></td>
<td>[4,000]</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Integrated Biological &amp; Chemical Warfare Defense Technology Platform</td>
<td></td>
<td></td>
<td></td>
<td>[2,000]</td>
<td></td>
</tr>
<tr>
<td>5</td>
<td>0602121N</td>
<td>Ship, Submarine &amp; Logistics Technology</td>
<td>56,064</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Transfer from PE 62123N (RDN 7) -- Restore FY 01 PE Structure</td>
<td></td>
<td></td>
<td></td>
<td>[56,064]</td>
<td></td>
</tr>
<tr>
<td>6</td>
<td>0602122N</td>
<td>Aircraft Technology</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Submarine Electrical Power to Augment On-shore Power Grids</td>
<td></td>
<td></td>
<td></td>
<td>[300]</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Restore Funding to FY 01 PE Structure</td>
<td></td>
<td></td>
<td></td>
<td>[117,072]</td>
<td></td>
</tr>
<tr>
<td>8</td>
<td>0602131M</td>
<td>Marine Corps Landing Force Technology</td>
<td>31,248</td>
<td>31,248</td>
<td>31,248</td>
<td></td>
<td>31,248</td>
</tr>
<tr>
<td>9</td>
<td>0602232N</td>
<td>Communications, Command and Control, Intelligence, Surveillance Technology</td>
<td>5,000</td>
<td>5,000</td>
<td>5,000</td>
<td></td>
<td>5,000</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Fusion of Hyperspectral &amp; Panchromatic Data</td>
<td></td>
<td></td>
<td></td>
<td>[5,000]</td>
<td></td>
</tr>
<tr>
<td>10</td>
<td>0602233N</td>
<td>Human Systems Technology</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Line No.</td>
<td>Program No.</td>
<td>Program Title</td>
<td>FY 2002 Request</td>
<td>House Authorized</td>
<td>Senate Authorized</td>
<td>Conference Agreement Change</td>
<td>Authorized</td>
</tr>
<tr>
<td>---------</td>
<td>-------------</td>
<td>---------------</td>
<td>-----------------</td>
<td>-----------------</td>
<td>------------------</td>
<td>-----------------------------</td>
<td>------------</td>
</tr>
<tr>
<td>11</td>
<td>0602234N</td>
<td>Materials, Electronics and Computer Technology</td>
<td>83,557</td>
<td>90,645</td>
<td>86,557</td>
<td>4,000</td>
<td>87,557</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Transfer from PE 62123N (RDN 7) -- Restore FY 01 PE Structure</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>14,278</td>
</tr>
<tr>
<td>12</td>
<td>0602235N</td>
<td>Common Picture Applied Research</td>
<td>83,557</td>
<td>90,645</td>
<td>86,557</td>
<td>4,000</td>
<td>87,557</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Advanced High Definition Display Technology</td>
<td>[4,000]</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Hybrid Fiber Optic Wireless Communication</td>
<td>[2,000]</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>SFADEEP Aircraft - Submarine Laser Communications</td>
<td>[1,000]</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Reduction to Support Higher Transformation Priorities</td>
<td>[1,912]</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Advanced Personal Communicator</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>13</td>
<td>0602236N</td>
<td>Warfighter Sustainment Applied Research</td>
<td>71,294</td>
<td>82,294</td>
<td>80,294</td>
<td>10,500</td>
<td>81,794</td>
</tr>
<tr>
<td></td>
<td></td>
<td>COTS Carbon Fiber Qualification</td>
<td>[2,000]</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Formable Aligned Carbon Thermo Sets (FACTS)</td>
<td>[4,000]</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Detection &amp; Identification of Human Pathogens</td>
<td>[2,000]</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Knowledge-based Ship Systems Diagnosis &amp; Repair</td>
<td>[3,000]</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Biosensor Nanotechnology</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>2,000</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Integrated Bioenvironmental Hazards Research Program</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>3,500</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Modeling, Simulation, &amp; Training Immersion Facility</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>1,000</td>
</tr>
<tr>
<td>14</td>
<td>0602270N</td>
<td>Electronic Warfare Technology</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

(Dollars in Thousands)
### Title II - RDT and E
(Dollars in Thousands)

<table>
<thead>
<tr>
<th>Line No.</th>
<th>Program No.</th>
<th>Program Title</th>
<th>FY2002 Request</th>
<th>House Authorized</th>
<th>Senate Authorized</th>
<th>Change</th>
<th>Conference Agreement Authorized</th>
</tr>
</thead>
<tbody>
<tr>
<td>15</td>
<td>0602271N</td>
<td>RF Systems Applied Research</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Laser Welding and Cutting</td>
<td>62,141</td>
<td>83,441</td>
<td>74,141</td>
<td>8,500</td>
<td>70,641</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Vacuum Electronics</td>
<td></td>
<td>[4,300]</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>High Brightness Electron Source Program</td>
<td></td>
<td>2,500</td>
<td></td>
<td>2,000</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>High Performance Wave Form Generator</td>
<td></td>
<td>[3,000]</td>
<td></td>
<td>2,000</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Wide Bandgap Semiconductor Technology</td>
<td>7,000</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>High frequency / high power wide bandgap semiconductor electronics technology (Fence--Non-add)</td>
<td></td>
<td>3,500</td>
<td></td>
<td>3,500</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Nanoscale Devices (Wide Bandgap Materials)</td>
<td></td>
<td>1,000</td>
<td></td>
<td>1,000</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Nanoscience and Technology</td>
<td></td>
<td>[1,000]</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Wide Bandgap Semiconductor Research Initiative</td>
<td></td>
<td>2,500</td>
<td></td>
<td>2,500</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Wide Bandgap Semiconductor Development</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>16</td>
<td>0602314N</td>
<td>Undersea Warfare Surveillance Technology</td>
<td></td>
<td>15,569</td>
<td></td>
<td></td>
<td>15,569</td>
</tr>
<tr>
<td>17</td>
<td>0602315N</td>
<td>Mine Countermeasures, Mining and Special Warfare</td>
<td>50,738</td>
<td>50,738</td>
<td>50,738</td>
<td></td>
<td>50,738</td>
</tr>
<tr>
<td>18</td>
<td>0602435N</td>
<td>Ocean Warfighting Environment Applied Research</td>
<td></td>
<td>63,579</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>19</td>
<td>0602633N</td>
<td>Undersea Warfare Weaponry Technology</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Transfer from PE 62747N (RDN 20) -- Restore FY 01 PE Structure</td>
<td></td>
<td>2,638</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Transfer from PE 62123N (RDN 7) -- Restore FY 01 PE Structure</td>
<td></td>
<td>[60,941]</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>20</td>
<td>0602747N</td>
<td>Undersea Warfare Applied Research</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Non-acoustic Antisubmarine Warfare (NAASW)</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Restore Funding to FY 01 PE Structure</td>
<td>76,510</td>
<td>86,510</td>
<td>76,510</td>
<td></td>
<td>76,510</td>
</tr>
<tr>
<td></td>
<td></td>
<td>[10,000]</td>
<td></td>
<td>10,000</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>21</td>
<td>0602782N</td>
<td>Mine and Expeditionary Warfare Applied Research</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>57,668</td>
<td>57,668</td>
<td>57,668</td>
<td>57,668</td>
<td></td>
<td>57,668</td>
</tr>
</tbody>
</table>
### Title II - RDT and E

(Dollars in Thousands)

<table>
<thead>
<tr>
<th>Line No.</th>
<th>Program Element</th>
<th>Program Title</th>
<th>FY2002 Request</th>
<th>House Authorized</th>
<th>Senate Authorized</th>
<th>Conference Agreement Change</th>
<th>Authorized</th>
</tr>
</thead>
<tbody>
<tr>
<td>22</td>
<td>0602805N</td>
<td>Dual Use Science and Technology Program</td>
<td>10,000</td>
<td>2,000</td>
<td>10,000</td>
<td>[-8,000]</td>
<td>10,000</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Reduction to Support Higher Transformation Priorities</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>23</td>
<td>0603114N</td>
<td>Power Projection Advanced Technology</td>
<td>76,410</td>
<td>94,410</td>
<td>76,410</td>
<td>18,000</td>
<td>94,410</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Affordable Weapon</td>
<td>[10,000]</td>
<td></td>
<td></td>
<td>[10,000]</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>DP-2 Thrust Vectoring System Concept Demonstration</td>
<td>[8,000]</td>
<td></td>
<td></td>
<td>[5,000]</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>High Energy Laser - Low Aspect Target Tracking (HEL-LATT)</td>
<td>[10,000]</td>
<td></td>
<td></td>
<td>[3,000]</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Reduction to Support Higher Transformation Priorities</td>
<td>[-10,000]</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>24</td>
<td>0603123N</td>
<td>Force Protection Advanced Technology</td>
<td>85,297</td>
<td>132,000</td>
<td>17,000</td>
<td>102,297</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Advanced Water Jet (AWJ-21) Propulsor</td>
<td>[6,000]</td>
<td></td>
<td></td>
<td>[2,000]</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>DC Homopolar Motor Program</td>
<td>[4,000]</td>
<td></td>
<td></td>
<td>[1,000]</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Direct Ship Service Fuel Cell Technology Demonstrator</td>
<td>[7,000]</td>
<td></td>
<td></td>
<td>[1,000]</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Electric Propulsion / Ship Power Systems Distributed Test Bed</td>
<td>[10,000]</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Littoral Support Craft - Experimental (LSC-X)</td>
<td>[19,000]</td>
<td></td>
<td></td>
<td>[11,000]</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>LSC-X (Fence - Non-add)</td>
<td>[20,000]</td>
<td></td>
<td></td>
<td>[20,000]</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>SEALS Mk V Patrol Craft Project M Modification</td>
<td>[6,000]</td>
<td></td>
<td></td>
<td>[2,000]</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Reduction to Support Higher Transformation Priorities</td>
<td>[-5,297]</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Restore Funding to FY 01 PE Structure</td>
<td></td>
<td></td>
<td></td>
<td>[85,297]</td>
<td></td>
</tr>
<tr>
<td>25</td>
<td>0603217N</td>
<td>Air Systems and Weapons Advanced Technology</td>
<td>48,583</td>
<td>50,583</td>
<td>48,583</td>
<td>48,583</td>
<td></td>
</tr>
<tr>
<td>26</td>
<td>0603235N</td>
<td>Common Picture Advanced Technology</td>
<td>48,583</td>
<td>50,583</td>
<td>48,583</td>
<td></td>
<td>48,583</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Upgrade Extending the Littoral Battlespace ACTD Equipment</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
### Title II - RDT and E

(Dollars in Thousands)

<table>
<thead>
<tr>
<th>Line No.</th>
<th>Program Element</th>
<th>Program Title</th>
<th>FY2002 Request</th>
<th>House Authorized</th>
<th>Senate Authorized</th>
<th>Conference Agreement Change</th>
<th>Authorized</th>
</tr>
</thead>
<tbody>
<tr>
<td>27</td>
<td>0603236N</td>
<td>Warfighter Sustainment Advanced Technology</td>
<td>57,685</td>
<td>67,615</td>
<td>57,685</td>
<td>2,000</td>
<td>59,685</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Real Time Heart Rate Variability Technology</td>
<td></td>
<td>[8,930]</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Naval Environmental Compliance Operations Monitoring System</td>
<td></td>
<td>[6,000]</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Reduction to Support Higher Transformation Priorities</td>
<td></td>
<td>[-5,000]</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>28</td>
<td>0603238N</td>
<td>Precision Strike and Air Defense Technology</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>29</td>
<td>0603270N</td>
<td>Advanced Electronic Warfare Technology</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>30</td>
<td>0603271N</td>
<td>RF Systems Advanced Technology</td>
<td>76,876</td>
<td>66,876</td>
<td>76,876</td>
<td>76,876</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Vacuum Electronics</td>
<td></td>
<td>[5,000]</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Reduction to Support Higher Transformation Priorities</td>
<td></td>
<td>[-45,000]</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>31</td>
<td>0603508N</td>
<td>Surface Ship &amp; Submarine HM&amp;E Advanced Technology</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Transfer from PE 63123N (RDN 24)</td>
<td>83,958</td>
<td>9,300</td>
<td>9,300</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>-- Restore FY 01 PE Structure</td>
<td>[66,658]</td>
<td>[3,000]</td>
<td>[1,000]</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Ship Service Fuel Cell Technology Verification and Training Program</td>
<td>[5,000]</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>DDG-51 Composite Twisted Rudder</td>
<td>[1,000]</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Future Ship Systems Technology Demos</td>
<td>[2,000]</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Laser Welding and Cutting</td>
<td>[4,300]</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Modular Advance Composite Hull (MACH) Form</td>
<td>[1,000]</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>32</td>
<td>0603640N</td>
<td>Marine Corps Advanced Technology Demonstration (ATD)</td>
<td>51,310</td>
<td>72,310</td>
<td>51,310</td>
<td>51,310</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Rapid Acquisition Program For Transformation (RAPFT)</td>
<td></td>
<td>[21,000]</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>33</td>
<td>0603706N</td>
<td>Medical Development</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>34</td>
<td>0603707N</td>
<td>Manpower, Personnel and Training Adv Tech Dev</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>35</td>
<td>0603712N</td>
<td>Environmental Quality and Logistics Advanced Technology</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>36</td>
<td>0603727N</td>
<td>Joint Experimentation</td>
<td>118,802</td>
<td>118,802</td>
<td>118,802</td>
<td>118,802</td>
<td></td>
</tr>
</tbody>
</table>
## Title II - RDT and E

(Dollars in Thousands)

<table>
<thead>
<tr>
<th>Line No.</th>
<th>Program Element</th>
<th>Program Title</th>
<th>FY2002 Request</th>
<th>House Authorized</th>
<th>Senate Authorized</th>
<th>Conference Agreement Change</th>
<th>Authorized</th>
</tr>
</thead>
<tbody>
<tr>
<td>37</td>
<td>0603729N</td>
<td>Warfighter Protection Advanced Technology</td>
<td>17,678</td>
<td>21,678</td>
<td>17,678</td>
<td>-2,000</td>
<td>19,678</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Organ Transfer Technology</td>
<td>[4,000]</td>
<td>[4,000]</td>
<td>[2,000]</td>
<td></td>
<td></td>
</tr>
<tr>
<td>38</td>
<td>0603747N</td>
<td>Undersea Warfare Advanced Technology</td>
<td>56,303</td>
<td>66,303</td>
<td>56,303</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Non-acoustic Anti-submarine Warfare (NAASW)</td>
<td>[10,000]</td>
<td>[10,000]</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>39</td>
<td>0603758N</td>
<td>Navy Warfighting Experiments and Demonstrations</td>
<td>43,277</td>
<td>85,277</td>
<td>43,277</td>
<td></td>
<td>43,277</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Rapid Acquisition Program for Transformation (RAPFT)</td>
<td>[42,000]</td>
<td>[42,000]</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>40</td>
<td>0603782N</td>
<td>Mine and Expeditionary Warfare Advanced Technology</td>
<td>48,279</td>
<td>48,279</td>
<td>49,979</td>
<td>1,000</td>
<td>49,279</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Ocean Modeling for MCM &amp; Expeditionary Warfare</td>
<td>[1,700]</td>
<td>[1,700]</td>
<td>[1,000]</td>
<td></td>
<td></td>
</tr>
<tr>
<td>41</td>
<td>0603792N</td>
<td>Advanced Technology Transition</td>
<td></td>
<td></td>
<td>18,639</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Transfer from PE 63123N (RDN 24) - Restore FY 01 PE Structure</td>
<td>[18,639]</td>
<td>[18,639]</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>42</td>
<td>0603794N</td>
<td>C3 Advanced Technology</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>43</td>
<td>0603207N</td>
<td>Air/Ocean Tactical Applications</td>
<td>32,332</td>
<td>32,332</td>
<td>32,332</td>
<td></td>
<td>32,332</td>
</tr>
<tr>
<td>44</td>
<td>0603216N</td>
<td>Aviation Survivability</td>
<td>25,572</td>
<td>7,672</td>
<td>7,538</td>
<td></td>
<td>25,572</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Reduction to Support Higher Transformation Priorities</td>
<td>[-17,900]</td>
<td>[-17,900]</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Transfer to PE 64272N (RDN 90a) - Budget Request Included</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>TADRCM in RDN 44 total in error</td>
<td>[-18,034]</td>
<td>[-18,034]</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>45</td>
<td>0603237N</td>
<td>Deployable Joint Command &amp; Control</td>
<td>50,000</td>
<td>30,000</td>
<td>(30,000)</td>
<td>20,000</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Reduction to Support Higher Transformation Priorities</td>
<td>[-50,000]</td>
<td>[-50,000]</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Fund a More Reasonable Start-up Level for This New Activity</td>
<td>[-20,000]</td>
<td>[-20,000]</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>46</td>
<td>0603254N</td>
<td>ASW Systems Development</td>
<td>12,922</td>
<td>17,922</td>
<td>12,922</td>
<td>2,000</td>
<td>14,922</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Project Bear Trap</td>
<td>[5,000]</td>
<td>[5,000]</td>
<td>[2,000]</td>
<td></td>
<td></td>
</tr>
<tr>
<td>47</td>
<td>0603261N</td>
<td>Tactical Airborne Reconnaissance</td>
<td>1,934</td>
<td>1,934</td>
<td>1,934</td>
<td></td>
<td>1,934</td>
</tr>
<tr>
<td>Line No.</td>
<td>Program Element</td>
<td>Program Title</td>
<td>FY2002 Request</td>
<td>House Authorized</td>
<td>Senate Authorized</td>
<td>Conference Agreement Change</td>
<td>Authorized</td>
</tr>
<tr>
<td>---------</td>
<td>-----------------</td>
<td>-------------------------------------------------------------------</td>
<td>----------------</td>
<td>------------------</td>
<td>-------------------</td>
<td>-------------------------------</td>
<td>-------------</td>
</tr>
<tr>
<td>48</td>
<td>0603382N</td>
<td>Advanced Combat Systems Technology</td>
<td>3,458</td>
<td>3,458</td>
<td></td>
<td></td>
<td>3,458</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Reduction to Support Higher Transformation Priorities</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>49</td>
<td>0603502N</td>
<td>Surface and Shallow Water Mine Countermeasures</td>
<td>135,284</td>
<td>147,284</td>
<td>135,284</td>
<td></td>
<td>135,284</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Surface Navy Integrated Undersea Tactical Technology</td>
<td></td>
<td>[12,000]</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>50</td>
<td>0603506N</td>
<td>Surface Ship Torpedo Defense</td>
<td>4,818</td>
<td>9,818</td>
<td>4,818</td>
<td>1,000</td>
<td>5,818</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Accelerate Development &amp; Fielding of SSTD Systems</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>51</td>
<td>0603512N</td>
<td>Carrier Systems Development</td>
<td>165,150</td>
<td>165,150</td>
<td>165,150</td>
<td></td>
<td>165,150</td>
</tr>
<tr>
<td>52</td>
<td>0603513N</td>
<td>Shipboard System Component Development</td>
<td>288,382</td>
<td>263,382</td>
<td>288,382</td>
<td>(50,000)</td>
<td>238,382</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Reduction to Support Higher Transformation Priorities</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>53</td>
<td>0603525N</td>
<td>PILOT FISH</td>
<td>99,600</td>
<td>99,600</td>
<td>99,600</td>
<td></td>
<td>99,600</td>
</tr>
<tr>
<td>54</td>
<td>0603527N</td>
<td>RETRACT LARCH</td>
<td>50,441</td>
<td>50,441</td>
<td>50,441</td>
<td></td>
<td>50,441</td>
</tr>
<tr>
<td>55</td>
<td>0603536N</td>
<td>RETRACT JUNIPER</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>56</td>
<td>0603542N</td>
<td>Radiological Control</td>
<td>1,056</td>
<td>1,056</td>
<td>1,056</td>
<td></td>
<td>1,056</td>
</tr>
<tr>
<td>57</td>
<td>0603553N</td>
<td>Surface ASW</td>
<td>3,724</td>
<td>3,724</td>
<td>3,724</td>
<td></td>
<td>3,724</td>
</tr>
<tr>
<td>58</td>
<td>0603559N</td>
<td>SSGN Conversion</td>
<td>30,000</td>
<td>30,000</td>
<td>64,000</td>
<td>15,000</td>
<td>45,000</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Accelerate Design Effort to Convert 4 Boats</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>59</td>
<td>0603561N</td>
<td>Advanced Submarine System Development</td>
<td>110,766</td>
<td>115,309</td>
<td>114,666</td>
<td>[15,000]</td>
<td>116,666</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Advanced Composite Sail Phase II</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Submarine Composite Sail</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Advanced Composite Sail</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Electromechanical Actuator Development</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Reduction to Support Higher Transformation Priorities</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>(-10,457)</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
### Title II - RDT and E

(Dollars in Thousands)

<table>
<thead>
<tr>
<th>Line No.</th>
<th>Program No.</th>
<th>Program Element</th>
<th>Program Title</th>
<th>FY2002 Request</th>
<th>House Authorized</th>
<th>Senate Authorized</th>
<th>Conference Agreement Change</th>
<th>Authorized</th>
</tr>
</thead>
<tbody>
<tr>
<td>60</td>
<td>0603562N</td>
<td></td>
<td>Submarine Tactical Warfare Systems</td>
<td>5,405</td>
<td>5,405</td>
<td>5,405</td>
<td>5,405</td>
<td></td>
</tr>
<tr>
<td>61</td>
<td>0603563N</td>
<td></td>
<td>Ship Concept Advanced Design</td>
<td>1,949</td>
<td>1,949</td>
<td>1,949</td>
<td>1,949</td>
<td></td>
</tr>
<tr>
<td>62</td>
<td>0603564N</td>
<td></td>
<td>Reduction to Support Higher Transformation Priorities</td>
<td>14,922</td>
<td>4,922</td>
<td>14,922</td>
<td>14,922</td>
<td></td>
</tr>
<tr>
<td>63</td>
<td>0603570N</td>
<td></td>
<td>Ship Preliminary Design &amp; Feasibility Studies</td>
<td>175,176</td>
<td>173,076</td>
<td>175,176</td>
<td>175,176</td>
<td></td>
</tr>
<tr>
<td>64</td>
<td>0603573N</td>
<td></td>
<td>Advanced Nuclear Power Systems</td>
<td>3,921</td>
<td>3,921</td>
<td>3,921</td>
<td>3,921</td>
<td></td>
</tr>
<tr>
<td>65</td>
<td>0603576N</td>
<td></td>
<td>CHALEK Eagle</td>
<td>35,313</td>
<td>35,313</td>
<td>35,313</td>
<td>35,313</td>
<td></td>
</tr>
<tr>
<td>66</td>
<td>0603582N</td>
<td></td>
<td>Combat System Integration</td>
<td>42,915</td>
<td>67,915</td>
<td>42,915</td>
<td>2,000</td>
<td>44,915</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Common Command &amp; Decision (CC&amp;D) System</td>
<td></td>
<td>[25,900]</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Wideband Optically Multiplexed Beamforming Architecture (WOMBAT)</td>
<td></td>
<td>[4,000]</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Reduction to Support Higher Transformation Priorities</td>
<td></td>
<td>[4,900]</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>67</td>
<td>0603609N</td>
<td></td>
<td>Conventional Munitions</td>
<td>22,299</td>
<td>22,299</td>
<td>22,299</td>
<td>22,299</td>
<td></td>
</tr>
<tr>
<td>68</td>
<td>0603611M</td>
<td></td>
<td>Marine Corps Assault Vehicles</td>
<td>263,066</td>
<td>240,000</td>
<td>263,066</td>
<td>263,066</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Reduction to Support Higher Transformation Priorities</td>
<td></td>
<td>[-23,066]</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>69</td>
<td>0603635M</td>
<td></td>
<td>Marine Corps Ground Combat/Support System</td>
<td>25,957</td>
<td>40,957</td>
<td>31,957</td>
<td>4,500</td>
<td>30,457</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Lightweight 155mm Howitzer</td>
<td></td>
<td>[5,000]</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Low Observable Signature Ejection Technology</td>
<td></td>
<td>[5,000]</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Urban Operations Environmental Lab</td>
<td></td>
<td>[5,000]</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Nanoparticles for Neutralization of Facility Threats (Weapon)</td>
<td></td>
<td>[2,000]</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>70</td>
<td>0603654N</td>
<td></td>
<td>Joint Service Explosive Ordnance Development</td>
<td>12,918</td>
<td>12,918</td>
<td>12,918</td>
<td>12,918</td>
<td></td>
</tr>
</tbody>
</table>
## Title II - RDT and E

(Dollars in Thousands)

<table>
<thead>
<tr>
<th>Line No.</th>
<th>Program Element</th>
<th>Program Title</th>
<th>FY2002 Request</th>
<th>House Authorized</th>
<th>Senate Authorized</th>
<th>Conference Agreement Change</th>
<th>Authorized</th>
</tr>
</thead>
<tbody>
<tr>
<td>71</td>
<td>0603658N</td>
<td>Cooperative Engagement</td>
<td>74,231</td>
<td>74,231</td>
<td>74,231</td>
<td>74,231</td>
<td></td>
</tr>
<tr>
<td>72</td>
<td>0603713N</td>
<td>Ocean Engineering Technology Development</td>
<td>16,077</td>
<td>16,077</td>
<td>16,077</td>
<td>16,077</td>
<td></td>
</tr>
<tr>
<td>73</td>
<td>0603721N</td>
<td>Environmental Protection</td>
<td>46,117</td>
<td>46,117</td>
<td>46,117</td>
<td>46,117</td>
<td></td>
</tr>
<tr>
<td>74</td>
<td>0603724N</td>
<td>Navy Energy Program</td>
<td>5,025</td>
<td>5,025</td>
<td>5,025</td>
<td>5,025</td>
<td></td>
</tr>
<tr>
<td>75</td>
<td>0603725N</td>
<td>Facilities Improvement</td>
<td>1,728</td>
<td>4,128</td>
<td>1,728</td>
<td>1,728</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Photovoltaic Energy Savings Initiative</td>
<td></td>
<td></td>
<td></td>
<td>[2,400]</td>
<td></td>
</tr>
<tr>
<td>76</td>
<td>0603734N</td>
<td>CHALK CORAL</td>
<td>48,187</td>
<td>48,187</td>
<td>48,187</td>
<td>48,187</td>
<td></td>
</tr>
<tr>
<td>77</td>
<td>0603739N</td>
<td>Navy Logistic Productivity</td>
<td>11,735</td>
<td>23,235</td>
<td>11,735</td>
<td>4,000</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Compatible Processor Upgrade Program</td>
<td></td>
<td>[6,500]</td>
<td></td>
<td>[2,000]</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Rapid Retargeting</td>
<td></td>
<td>[5,000]</td>
<td></td>
<td>[2,000]</td>
<td></td>
</tr>
<tr>
<td>78</td>
<td>0603746N</td>
<td>RETRACT MAPLE</td>
<td>148,856</td>
<td>157,856</td>
<td>148,856</td>
<td>148,856</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Classified Program</td>
<td></td>
<td>[9,000]</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>79</td>
<td>0603748N</td>
<td>LINK PLUMERIA</td>
<td>62,601</td>
<td>62,601</td>
<td>62,601</td>
<td>62,601</td>
<td></td>
</tr>
<tr>
<td>80</td>
<td>0603751N</td>
<td>RETRACT ELM</td>
<td>22,200</td>
<td>22,200</td>
<td>22,200</td>
<td>22,200</td>
<td></td>
</tr>
<tr>
<td>81</td>
<td>0603755N</td>
<td>Ship Self Defense - Den/Val</td>
<td>8,353</td>
<td>8,353</td>
<td>8,353</td>
<td>8,353</td>
<td></td>
</tr>
<tr>
<td>82</td>
<td>0603764N</td>
<td>LINK EVERGREEN</td>
<td>26,151</td>
<td>26,151</td>
<td>26,151</td>
<td>26,151</td>
<td></td>
</tr>
<tr>
<td>83</td>
<td>0603787N</td>
<td>Special Processes</td>
<td>58,858</td>
<td>58,858</td>
<td>58,858</td>
<td>58,858</td>
<td></td>
</tr>
<tr>
<td>84</td>
<td>0603790N</td>
<td>NATO Research and Development</td>
<td>11,551</td>
<td>11,551</td>
<td>11,551</td>
<td>11,551</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>VECTOR Study &amp; Analysis (Fence-Non-add)</td>
<td></td>
<td></td>
<td></td>
<td>[1,000]</td>
<td></td>
</tr>
</tbody>
</table>
### Title II - RDT and E

(Dollars in Thousands)

<table>
<thead>
<tr>
<th>Line No.</th>
<th>Program Element</th>
<th>Program Title</th>
<th>FY2002 Request</th>
<th>House Authorized</th>
<th>Senate Authorized</th>
<th>Conference Agreement</th>
</tr>
</thead>
<tbody>
<tr>
<td>85</td>
<td>0603795N</td>
<td>Land Attack Technology</td>
<td>130,993</td>
<td>176,193</td>
<td>111,510</td>
<td>130,993</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Advanced Land Attack Missile Program</td>
<td></td>
<td>[20,000]</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Distributed Common Ground Station</td>
<td></td>
<td>[25,200]</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Future Missile System</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Land Attack Standard Missile (LASM)</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>86</td>
<td>0603800N</td>
<td>Joint Strike Fighter (JSF) - Dem/Val</td>
<td>30,000</td>
<td>30,000</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Reflect Delay in Decision About Down Select of JSF Winning Team</td>
<td></td>
<td>[10,000]</td>
<td></td>
<td></td>
</tr>
<tr>
<td>87</td>
<td>0603851N</td>
<td>Nonlethal Weapons - Dem/Val</td>
<td>34,008</td>
<td>24,008</td>
<td>34,008</td>
<td>34,008</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Reduction to Support Higher Transformation Priorities</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>88</td>
<td>0603857N</td>
<td>All Service Combat Identification Evaluation Team (ASCIEET)</td>
<td>13,530</td>
<td>13,530</td>
<td>13,530</td>
<td>13,530</td>
</tr>
<tr>
<td>89</td>
<td>0603879N</td>
<td>Single Integrated Air Picture (SIAP) System Engineer (SE)</td>
<td>43,140</td>
<td>43,140</td>
<td>43,140</td>
<td>43,140</td>
</tr>
<tr>
<td>90</td>
<td>0603889N</td>
<td>Counterdrug RDT&amp;E Projects</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>90a</td>
<td>0604272N</td>
<td>Tactical Aircraft Directed Infrared Countermeasure (TADIRCM)</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Transfer from PE 63216N (R&amp;D 44) -- Budget Request Included</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>TADIRCM in R&amp;D 44 total in error</td>
<td></td>
<td></td>
<td></td>
<td>[18,034]</td>
</tr>
<tr>
<td>91</td>
<td>0604327N</td>
<td>Hard and Deeply Buried Target Defeat System (HDBTDS) Program</td>
<td>32,259</td>
<td>32,259</td>
<td>32,259</td>
<td>32,259</td>
</tr>
<tr>
<td>92</td>
<td>0604707N</td>
<td>Space and Electronic Warfare (SEW) Architecture/Engineering Support</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>93</td>
<td>0603208N</td>
<td>Training System Aircraft</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>94</td>
<td>0603662N</td>
<td>Foreign Counter-Intelligence (FCI) - RDT&amp;E</td>
<td>[ ]</td>
<td>[ ]</td>
<td>[ ]</td>
<td>[ ]</td>
</tr>
<tr>
<td>95</td>
<td>0604212N</td>
<td>Other Helo Development</td>
<td>64,392</td>
<td>66,392</td>
<td>64,192</td>
<td>66,392</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Sea Target Laser Aiming Scoring System</td>
<td></td>
<td>[2,000]</td>
<td></td>
<td>[2,000]</td>
</tr>
<tr>
<td>96</td>
<td>0604214N</td>
<td>AV-8B Aircraft - Eng Dev</td>
<td>32,897</td>
<td>32,897</td>
<td>32,897</td>
<td>32,897</td>
</tr>
</tbody>
</table>
### Title II - RDT and E

(Dollars in Thousands)

<table>
<thead>
<tr>
<th>Line No.</th>
<th>Program No.</th>
<th>Program Title</th>
<th>FY2002 Request</th>
<th>House Authorized</th>
<th>Senate Authorized</th>
<th>Conference Agreement Change</th>
<th>Authorized</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>0604215N</td>
<td>Standards Development</td>
<td>120,552</td>
<td>127,052</td>
<td>66,748</td>
<td>6,500</td>
<td>127,052</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Metrology Projects</td>
<td></td>
<td>6,500</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Transfer to PE 65500N (RDN 156a) -- Budget Request Included MMA in RDN 97 total in error</td>
<td></td>
<td>6,500</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>0604216N</td>
<td>Multi-Mission Helicopter Upgrade Development</td>
<td>149,418</td>
<td>149,418</td>
<td>149,418</td>
<td></td>
<td>149,418</td>
</tr>
<tr>
<td></td>
<td>0604217N</td>
<td>S-3 Weapon System Improvement</td>
<td>428</td>
<td>428</td>
<td>428</td>
<td></td>
<td>428</td>
</tr>
<tr>
<td></td>
<td>0604218N</td>
<td>Air/Ocean Equipment Engineering</td>
<td>6,346</td>
<td>6,346</td>
<td>6,346</td>
<td></td>
<td>6,346</td>
</tr>
<tr>
<td></td>
<td>0604221N</td>
<td>P-3 Modernization Program</td>
<td>3,220</td>
<td>3,220</td>
<td>3,220</td>
<td></td>
<td>3,220</td>
</tr>
<tr>
<td></td>
<td>0604231N</td>
<td>Tactical Command System</td>
<td>64,832</td>
<td>64,832</td>
<td>64,832</td>
<td></td>
<td>64,832</td>
</tr>
<tr>
<td></td>
<td>0604234N</td>
<td>E-2C Radar Modernization Program</td>
<td>96,000</td>
<td>96,000</td>
<td>96,000</td>
<td></td>
<td>96,000</td>
</tr>
<tr>
<td></td>
<td>0604235N</td>
<td>Navy Area Missile Defense</td>
<td>388,496</td>
<td>388,496</td>
<td>388,496</td>
<td></td>
<td>388,496</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Transfer to PE 63881C (RDDW 75)</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>0604245N</td>
<td>H-1 Upgrades</td>
<td>170,068</td>
<td>170,068</td>
<td>170,068</td>
<td></td>
<td>170,068</td>
</tr>
<tr>
<td></td>
<td>0604261N</td>
<td>Acoustic Search Sensors</td>
<td>16,825</td>
<td>16,825</td>
<td>16,825</td>
<td></td>
<td>16,825</td>
</tr>
<tr>
<td></td>
<td>0604262N</td>
<td>V-22A</td>
<td>546,735</td>
<td>446,735</td>
<td>451,735</td>
<td></td>
<td>446,735</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Defers Building SOCOM CV-22 EMD Aircraft USD (AT&amp;L) Review of Alternatives</td>
<td></td>
<td>[-100,000]</td>
<td>[-100,000]</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>0604264N</td>
<td>Air Crew Systems Development</td>
<td>7,717</td>
<td>7,717</td>
<td>12,717</td>
<td></td>
<td>10,717</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Modular Helmet Development</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>0604270N</td>
<td>EW Development</td>
<td>112,473</td>
<td>126,473</td>
<td>112,473</td>
<td></td>
<td>116,473</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Follow-on Support Jammer</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Location of GPS Interferers (LCOO GPSD)</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Note: The Conference Agreement Change and Authorized columns are marked with brackets indicating changes or approved amounts.
### Title II - RDT and E

(Dollars in Thousands)

<table>
<thead>
<tr>
<th>Line No.</th>
<th>Program Element</th>
<th>Program/Title</th>
<th>FY2002 Request</th>
<th>House Authorized</th>
<th>Senate Authorized</th>
<th>Conference Change</th>
<th>Agreement Authorized</th>
</tr>
</thead>
<tbody>
<tr>
<td>110</td>
<td>0604300N</td>
<td>SC-21 Total Ship System Engineering</td>
<td>355,093</td>
<td>355,093</td>
<td>359,093</td>
<td>3,000</td>
<td>358,093</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Personnel Tracking &amp; Locating System</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Power Node Control Center (PNCC)</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>111</td>
<td>0604307N</td>
<td>Surface Combatant Combat System Engineering</td>
<td>262,037</td>
<td>276,937</td>
<td>268,037</td>
<td>14,900</td>
<td>276,937</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Operational Readiness Test Systems Network</td>
<td>[6,000]</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>AFGIS Operational Readiness Training Systems (ORTS)</td>
<td>[6,000]</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Peripheral Consolidation Program</td>
<td>[8,900]</td>
<td></td>
<td></td>
<td></td>
<td>[8,900]</td>
</tr>
<tr>
<td>112</td>
<td>0604311N</td>
<td>LPD-17 Class Systems Integration</td>
<td>1,001</td>
<td>1,001</td>
<td>1,001</td>
<td></td>
<td>1,001</td>
</tr>
<tr>
<td>113</td>
<td>0604312N</td>
<td>Tri-Service Standoff Attack Missile</td>
<td>1,946</td>
<td>1,946</td>
<td>10,046</td>
<td>5,000</td>
<td>6,946</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Joint Air-to-Surface Standoff Missile (JASSM) Integration on F-18</td>
<td>[8,100]</td>
<td></td>
<td></td>
<td>[5,000]</td>
<td></td>
</tr>
<tr>
<td>114</td>
<td>0604366N</td>
<td>Standard Missile Improvements</td>
<td>1,309</td>
<td>1,309</td>
<td>6,309</td>
<td>2,000</td>
<td>3,309</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Advanced Optical Correlator</td>
<td>[5,900]</td>
<td></td>
<td></td>
<td></td>
<td>[2,000]</td>
</tr>
<tr>
<td>115</td>
<td>0604373N</td>
<td>Airborne MCM</td>
<td>52,041</td>
<td>52,041</td>
<td>52,041</td>
<td></td>
<td>52,041</td>
</tr>
<tr>
<td>116</td>
<td>0604503N</td>
<td>SSN-688 and Trident Modernization</td>
<td>43,706</td>
<td>68,706</td>
<td>57,006</td>
<td>13,300</td>
<td>57,006</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Multipurpose Processor</td>
<td>[25,000]</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Improved Antenna Technology</td>
<td>[3,100]</td>
<td></td>
<td></td>
<td></td>
<td>[3,100]</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Tactical Control Information Management</td>
<td>[10,000]</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Multipurpose Processor / Advanced Processing Build for Tactical Information Systems Management</td>
<td>[10,000]</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>117</td>
<td>0604504N</td>
<td>Air Control</td>
<td>12,821</td>
<td>12,821</td>
<td>12,821</td>
<td></td>
<td>12,821</td>
</tr>
<tr>
<td>118</td>
<td>0604507N</td>
<td>Enhanced Modular Signal Processor</td>
<td>1,013</td>
<td>1,013</td>
<td>1,013</td>
<td></td>
<td>1,013</td>
</tr>
<tr>
<td>119</td>
<td>0604512N</td>
<td>Shipboard Aviation Systems</td>
<td>16,375</td>
<td>21,375</td>
<td>16,375</td>
<td>3,500</td>
<td>19,875</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Aviation - Shipboard Information Technology Initiative</td>
<td>[5,000]</td>
<td></td>
<td></td>
<td></td>
<td>[3,500]</td>
</tr>
<tr>
<td>Line No.</td>
<td>Program No.</td>
<td>Program Title</td>
<td>FY2002 Request</td>
<td>House Authorized</td>
<td>Senate Authorized</td>
<td>Change</td>
<td>Conference Agreement</td>
</tr>
<tr>
<td>---------</td>
<td>-------------</td>
<td>-------------------------------------------------------------------------------</td>
<td>----------------</td>
<td>------------------</td>
<td>-------------------</td>
<td>--------</td>
<td>-----------------------</td>
</tr>
<tr>
<td>120</td>
<td>0604518N</td>
<td>Combat Information Center Conversion</td>
<td>5,392</td>
<td>5,392</td>
<td>10,392</td>
<td>[5,000]</td>
<td>[5,000]</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Common Command &amp; Decision (CC&amp;D) Upgrade</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>121</td>
<td>0604524N</td>
<td>Submarine Combat System</td>
<td>201,596</td>
<td>201,596</td>
<td>201,596</td>
<td></td>
<td>201,596</td>
</tr>
<tr>
<td>122</td>
<td>0604528N</td>
<td>SWATH (Small Waterplane Area Twin Hull) Oceanographic Ship</td>
<td>5,770</td>
<td>5,770</td>
<td>5,770</td>
<td></td>
<td>5,770</td>
</tr>
<tr>
<td>123</td>
<td>0604558N</td>
<td>New Design SSN</td>
<td>29,246</td>
<td>29,246</td>
<td>56,246</td>
<td>25,000</td>
<td>56,246</td>
</tr>
<tr>
<td>124</td>
<td>0604561N</td>
<td>SSN 21 Developments</td>
<td>130,388</td>
<td>130,388</td>
<td>130,388</td>
<td></td>
<td>130,388</td>
</tr>
<tr>
<td>125</td>
<td>0604562N</td>
<td>Submarine Tactical Warfare System</td>
<td>3,836</td>
<td>3,836</td>
<td>3,836</td>
<td></td>
<td>3,836</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Accelerate Combat Control System Consolidation</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Titanium Watertight Door &amp; Hatch Cover (Fence--Non-add)</td>
<td>8,123</td>
<td>8,123</td>
<td>8,123</td>
<td></td>
<td>8,123</td>
</tr>
<tr>
<td>127</td>
<td>0604574N</td>
<td>Mine Development</td>
<td>26,852</td>
<td>26,852</td>
<td>26,852</td>
<td></td>
<td>26,852</td>
</tr>
<tr>
<td>128</td>
<td>0604601N</td>
<td>Mine Development</td>
<td>8,130</td>
<td>8,130</td>
<td>8,130</td>
<td></td>
<td>8,130</td>
</tr>
<tr>
<td>130</td>
<td>0604610N</td>
<td>Lightweight Torpedo Development</td>
<td>8,130</td>
<td>8,130</td>
<td>8,130</td>
<td></td>
<td>8,130</td>
</tr>
<tr>
<td>131</td>
<td>0604618N</td>
<td>Joint Direct Attack Munition</td>
<td>26,852</td>
<td>26,852</td>
<td>26,852</td>
<td></td>
<td>26,852</td>
</tr>
<tr>
<td>132</td>
<td>0604654N</td>
<td>Joint Service Explosive Ordnance Development</td>
<td>26,852</td>
<td>26,852</td>
<td>26,852</td>
<td></td>
<td>26,852</td>
</tr>
<tr>
<td>133</td>
<td>0604703N</td>
<td>Personnel, Training, Simulation, and Human Factors</td>
<td>26,852</td>
<td>26,852</td>
<td>26,852</td>
<td></td>
<td>26,852</td>
</tr>
<tr>
<td>134</td>
<td>0604710N</td>
<td>Navy Energy Program</td>
<td>26,852</td>
<td>26,852</td>
<td>26,852</td>
<td></td>
<td>26,852</td>
</tr>
<tr>
<td>135</td>
<td>0604721N</td>
<td>Battle Group Passive Horizon Extension System</td>
<td>26,852</td>
<td>26,852</td>
<td>26,852</td>
<td></td>
<td>26,852</td>
</tr>
<tr>
<td>136</td>
<td>0604727N</td>
<td>Joint Standoff Weapon Systems</td>
<td>26,852</td>
<td>26,852</td>
<td>26,852</td>
<td></td>
<td>26,852</td>
</tr>
<tr>
<td>137</td>
<td>0604755N</td>
<td>Ship Self Defense - EMD</td>
<td>26,852</td>
<td>26,852</td>
<td>26,852</td>
<td></td>
<td>26,852</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Infrared Search &amp; Track (IRST)</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
### Title II - RDT and E.

(Dollars in Thousands)

<table>
<thead>
<tr>
<th>Line No.</th>
<th>Program No.</th>
<th>Program Title</th>
<th>FY2002 Request</th>
<th>House Authorized</th>
<th>Senate Authorized</th>
<th>Conference Change</th>
<th>Conference Agreement Authorized</th>
</tr>
</thead>
<tbody>
<tr>
<td>138</td>
<td>0604756N</td>
<td>Ship Self Defense - Hard Kill</td>
<td>33,530</td>
<td>33,530</td>
<td>33,530</td>
<td>2,000</td>
<td>33,530</td>
</tr>
<tr>
<td>139</td>
<td>0604757N</td>
<td>Ship Self Defense - Soft Kill</td>
<td>41,670</td>
<td>41,670</td>
<td>45,670</td>
<td>[4,000]</td>
<td>[2,000]</td>
</tr>
<tr>
<td></td>
<td></td>
<td>NOLKA Decoy Developments</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>140</td>
<td>0604771N</td>
<td>Medical Development</td>
<td>5,455</td>
<td>5,455</td>
<td>5,455</td>
<td>5,455</td>
<td></td>
</tr>
<tr>
<td>141</td>
<td>0604777N</td>
<td>Navigation/ID System</td>
<td>23,884</td>
<td>23,884</td>
<td>23,884</td>
<td>23,884</td>
<td></td>
</tr>
<tr>
<td>142</td>
<td>0604784N</td>
<td>Distributed Surveillance System</td>
<td>34,711</td>
<td>34,711</td>
<td>34,711</td>
<td>34,711</td>
<td></td>
</tr>
<tr>
<td>143</td>
<td>0604800N</td>
<td>Joint Strike Fighter (JSF) - EMD Reflect Delay in Decision About Down select of JSF Winning Team</td>
<td>767,259</td>
<td>767,259</td>
<td>613,659</td>
<td>767,259</td>
<td></td>
</tr>
<tr>
<td>144</td>
<td>0604805N</td>
<td>Commercial Operations and Support Savings Initiative</td>
<td>896</td>
<td>896</td>
<td>896</td>
<td>896</td>
<td></td>
</tr>
<tr>
<td>145</td>
<td>0604910N</td>
<td>Smart Card</td>
<td>11,031</td>
<td>11,031</td>
<td>11,031</td>
<td>11,031</td>
<td></td>
</tr>
<tr>
<td>146</td>
<td>0605013M</td>
<td>Information Technology Development</td>
<td>49,333</td>
<td>49,333</td>
<td>54,333</td>
<td>52,833</td>
<td></td>
</tr>
<tr>
<td>148</td>
<td>0605014N</td>
<td>Defense Integrated Military Human Resources System (DIMHRS) RDT&amp;E</td>
<td>47,184</td>
<td>47,184</td>
<td>47,184</td>
<td>47,184</td>
<td></td>
</tr>
<tr>
<td>149</td>
<td>0605015N</td>
<td>Joint Counter-Intelligence Assessment Group (JCAG) - RDT&amp;E</td>
<td>6,000</td>
<td>6,000</td>
<td>6,000</td>
<td>6,000</td>
<td></td>
</tr>
<tr>
<td>150</td>
<td>0508713N</td>
<td>Navy Standard Integrated Personnel System (NSIPS)</td>
<td>13,082</td>
<td>13,082</td>
<td>13,082</td>
<td>13,082</td>
<td></td>
</tr>
<tr>
<td>151</td>
<td>0604256N</td>
<td>Threat Simulator Development</td>
<td>30,110</td>
<td>30,110</td>
<td>30,110</td>
<td>30,110</td>
<td></td>
</tr>
<tr>
<td>152</td>
<td>0604258N</td>
<td>Target Systems Development</td>
<td>49,511</td>
<td>49,511</td>
<td>49,511</td>
<td>49,511</td>
<td></td>
</tr>
<tr>
<td>153</td>
<td>0604759N</td>
<td>Major T&amp;E Investment</td>
<td>41,804</td>
<td>41,804</td>
<td>41,804</td>
<td>41,804</td>
<td></td>
</tr>
<tr>
<td>154</td>
<td>0605152N</td>
<td>Studies and Analysis Support - Navy Reduction to Support Higher Transformation Priorities</td>
<td>6,679</td>
<td>6,679</td>
<td>6,679</td>
<td>6,679</td>
<td>(2,679)</td>
</tr>
<tr>
<td>155</td>
<td>0605154N</td>
<td>Center for Naval Analyses</td>
<td>44,891</td>
<td>44,891</td>
<td>44,891</td>
<td>44,891</td>
<td></td>
</tr>
</tbody>
</table>
### Title II - RDT and E

(Dollars in Thousands)

<table>
<thead>
<tr>
<th>Line No.</th>
<th>Program No.</th>
<th>Program Element</th>
<th>Program Title</th>
<th>FY2002 Request</th>
<th>House Authorized</th>
<th>Senate Authorized</th>
<th>Conference Agreement Change</th>
<th>Authorized</th>
</tr>
</thead>
<tbody>
<tr>
<td>156</td>
<td>0605155N</td>
<td>Fleet Tactical Development</td>
<td>2,912</td>
<td>2,912</td>
<td>2,912</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>156a</td>
<td>0605500N</td>
<td>Multi-Mission Maritime Aircraft (MMA)</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Transfer from PF 64215N (RDN 97) -- Budget Request Included MMA in RDN 97 total in error</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>157</td>
<td>0605502N</td>
<td>Small Business Innovative Research</td>
<td>53,804</td>
<td>53,804</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>158</td>
<td>0605804N</td>
<td>Technical Information Services</td>
<td>951</td>
<td>12,951</td>
<td>6,951</td>
<td>2,500</td>
<td>3,451</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Commercialization of Advanced Technology</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Supply Chain Best Practices</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>159</td>
<td>0605853N</td>
<td>Management, Technical &amp; International Support</td>
<td>21,628</td>
<td>18,628</td>
<td>21,628</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Reduction to Support Higher Transformation Priorities</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>160</td>
<td>0605856N</td>
<td>Strategic Technical Support</td>
<td>2,391</td>
<td>2,391</td>
<td>2,391</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>161</td>
<td>0605861N</td>
<td>RDT&amp;E Science and Technology Management</td>
<td>54,825</td>
<td>54,825</td>
<td>54,825</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>162</td>
<td>0605862N</td>
<td>RDT&amp;E Instrumentation Modernization</td>
<td>11,601</td>
<td>11,601</td>
<td>11,601</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>163</td>
<td>0605863N</td>
<td>RDT&amp;E Ship and Aircraft Support</td>
<td>71,375</td>
<td>71,375</td>
<td>71,375</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>164</td>
<td>0605864M</td>
<td>Test and Evaluation Support</td>
<td>270,000</td>
<td>270,000</td>
<td>277,414</td>
<td>7,414</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Reduction to Support Higher Transformation Priorities</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>165</td>
<td>0605865N</td>
<td>Operational Test and Evaluation Capability</td>
<td>11,649</td>
<td>11,649</td>
<td>11,649</td>
<td>11,649</td>
<td></td>
<td></td>
</tr>
<tr>
<td>166</td>
<td>0605866N</td>
<td>Navy Space and Electronic Warfare (SEW) Support</td>
<td>3,433</td>
<td>3,433</td>
<td>3,433</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>167</td>
<td>0605867N</td>
<td>SEW Surveillance/Reconnaissance Support</td>
<td>12,693</td>
<td>12,693</td>
<td>12,693</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>168</td>
<td>0605873N</td>
<td>Marine Corps Program Wide Support</td>
<td>9,614</td>
<td>9,614</td>
<td>12,814</td>
<td>3,000</td>
<td>12,614</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Nanoparticle Responses to Chem Bio Threats</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>169</td>
<td>0105885N</td>
<td>Tactical Cryptologic Activities</td>
<td>85,000</td>
<td>85,000</td>
<td>85,000</td>
<td>85,000</td>
<td></td>
<td></td>
</tr>
<tr>
<td>170</td>
<td>0909999N</td>
<td>Financing for Cancelled Account Adjustments</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
### Title II - RDT and E

(Dollars in Thousands)

<table>
<thead>
<tr>
<th>Line No.</th>
<th>Program Element</th>
<th>Program Title</th>
<th>FY2002 Request</th>
<th>House Authorized</th>
<th>Senate Authorized</th>
<th>Change</th>
<th>Conference Agreement Authorized</th>
</tr>
</thead>
<tbody>
<tr>
<td>171</td>
<td>0603660N</td>
<td>Advanced Development Projects</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>172</td>
<td>0603661N</td>
<td>Retract Violet</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>173</td>
<td>0603662N</td>
<td>Foreign Counter-Intelligence (FCI) - RDT&amp;E</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>174</td>
<td>0604227N</td>
<td>HARPOON Modifications</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>175</td>
<td>0604805N</td>
<td>Commercial Operations and Support Savings Initiative</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>176</td>
<td>0101221N</td>
<td>Strategic Sub &amp; Weapons System Support</td>
<td>43,322</td>
<td>53,122</td>
<td>43,322</td>
<td>2,500</td>
<td>45,822</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Radiation-hardened Electronics Applications Programs (RHEAP)</td>
<td></td>
<td>[9,800]</td>
<td>[2,500]</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Re-entry Systems Application Program (RSAP) (Fence-Non-add)</td>
<td></td>
<td>[2,000]</td>
<td>[2,000]</td>
<td></td>
<td></td>
</tr>
<tr>
<td>177</td>
<td>0101224N</td>
<td>SSMN Security Technology Program</td>
<td>34,091</td>
<td>34,091</td>
<td>34,091</td>
<td></td>
<td>34,091</td>
</tr>
<tr>
<td>178</td>
<td>0101226N</td>
<td>Submarine Acoustic Warfare Development</td>
<td>996</td>
<td>996</td>
<td>996</td>
<td></td>
<td>996</td>
</tr>
<tr>
<td>179</td>
<td>0101402N</td>
<td>Navy Strategic Communications</td>
<td>4,205</td>
<td>4,205</td>
<td>4,205</td>
<td></td>
<td>4,205</td>
</tr>
<tr>
<td>180</td>
<td>0204136N</td>
<td>F/A-18 Squadrons</td>
<td>253,257</td>
<td>214,257</td>
<td>280,257</td>
<td></td>
<td>253,257</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Fuel Cell Second Source</td>
<td></td>
<td>[1,000]</td>
<td>[10,000]</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Joint Helmet Mounted Cueing System (JHMCS) for F/A-18 &amp; Other Aircraft</td>
<td></td>
<td>[10,000]</td>
<td>[27,000]</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>JHMCS for F/A-1RC/D</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>JHMCS for F/A-18 Aircraft</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Reduction to Support Higher Transformation Priorities</td>
<td></td>
<td>[-50,000]</td>
<td>[10,000]</td>
<td></td>
<td></td>
</tr>
<tr>
<td>181</td>
<td>0204152N</td>
<td>E-2 Squadrons</td>
<td>20,583</td>
<td>30,583</td>
<td>20,583</td>
<td></td>
<td>20,583</td>
</tr>
<tr>
<td></td>
<td></td>
<td>E-2 / C-2 Eight-blade Composite Propeller</td>
<td></td>
<td>[10,000]</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>182</td>
<td>0204163N</td>
<td>Fleet Telecommunications (Tactical)</td>
<td>21,136</td>
<td>10,236</td>
<td>21,136</td>
<td></td>
<td>21,136</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Reduction to Support Higher Transformation Priorities</td>
<td></td>
<td>[-10,900]</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
## Title II - RDT and E
(Dollars in Thousands)

<table>
<thead>
<tr>
<th>Line No.</th>
<th>Program Element</th>
<th>Program Title</th>
<th>FY2002 Request</th>
<th>House Authorized</th>
<th>Senate Authorized</th>
<th>Conference Change</th>
<th>Authorized</th>
</tr>
</thead>
<tbody>
<tr>
<td>183</td>
<td>0204229N</td>
<td>Tomahawk and Tomahawk Mission Planning Center (TMPC)</td>
<td>76,036</td>
<td>73,814</td>
<td>76,036</td>
<td>76,036</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Reduction to Support Higher Transformation Priorities</td>
<td></td>
<td></td>
<td>[-2,222]</td>
<td></td>
<td></td>
</tr>
<tr>
<td>184</td>
<td>0204311N</td>
<td>Integrated Surveillance System</td>
<td>20,041</td>
<td>20,041</td>
<td>20,041</td>
<td>20,041</td>
<td></td>
</tr>
<tr>
<td>185</td>
<td>0204413N</td>
<td>Amphibious Tactical Support Units</td>
<td>24,387</td>
<td>24,387</td>
<td>24,387</td>
<td>24,387</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Expeditionary Warfare Testbed - Supporting Arms Technology Insertion</td>
<td></td>
<td></td>
<td>[10,000]</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Reduction to Support Higher Transformation Priorities</td>
<td></td>
<td></td>
<td>[-10,000]</td>
<td></td>
<td></td>
</tr>
<tr>
<td>187</td>
<td>0204575N</td>
<td>Electronic Warfare (EW) Readiness Support</td>
<td>7,659</td>
<td>5,359</td>
<td>7,659</td>
<td>7,659</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Decrease</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>188</td>
<td>0205601N</td>
<td>HARM Improvement</td>
<td>13,630</td>
<td>23,630</td>
<td>13,630</td>
<td>5,000</td>
<td>18,630</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Advanced Anti-radiation Guided Munition (AARGM)</td>
<td></td>
<td>[10,000]</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>189</td>
<td>0205604N</td>
<td>Tactical Data Links</td>
<td>39,362</td>
<td>31,662</td>
<td>39,362</td>
<td>39,362</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Reduction to Support Higher Transformation Priorities</td>
<td></td>
<td></td>
<td>[-7,700]</td>
<td></td>
<td></td>
</tr>
<tr>
<td>190</td>
<td>0205620N</td>
<td>Surface ASW Combat System Integration</td>
<td>28,119</td>
<td>24,219</td>
<td>28,119</td>
<td>28,119</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Reduction to Support Higher Transformation Priorities</td>
<td></td>
<td></td>
<td>[-3,900]</td>
<td></td>
<td></td>
</tr>
<tr>
<td>191</td>
<td>0205632N</td>
<td>MK-48 ADCAP</td>
<td>17,130</td>
<td>27,130</td>
<td>22,130</td>
<td>5,000</td>
<td>22,130</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Torpedo Rapid COTS Insertion</td>
<td></td>
<td>[10,000]</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Expand Advance Processing Build (APB) Process in MK-48 Upgrades</td>
<td></td>
<td></td>
<td>[5,000]</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Torpedo Rapid COTS Insertion / APB Application for MK-48 Upgrades</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>192</td>
<td>0205633N</td>
<td>Aviation Improvements</td>
<td>41,430</td>
<td>41,430</td>
<td>41,430</td>
<td>41,430</td>
<td></td>
</tr>
<tr>
<td>193</td>
<td>0205658N</td>
<td>Navy Science Assistance Program</td>
<td>4,945</td>
<td>4,945</td>
<td>4,945</td>
<td>4,945</td>
<td></td>
</tr>
<tr>
<td>194</td>
<td>0205667N</td>
<td>F-14 Upgrade</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
## Title II - RDT and E

(Dollars in Thousands)

<table>
<thead>
<tr>
<th>Line No.</th>
<th>Program Element</th>
<th>Program Title</th>
<th>FY2002 Request</th>
<th>House Authorized</th>
<th>Senate Authorized</th>
<th>Conference Change</th>
<th>Conference Authorized</th>
</tr>
</thead>
<tbody>
<tr>
<td>195</td>
<td>0205675N</td>
<td>Operational Nuclear Power Systems</td>
<td>55,202</td>
<td>55,202</td>
<td>55,202</td>
<td>55,202</td>
<td></td>
</tr>
<tr>
<td>196</td>
<td>0206313M</td>
<td>Marine Corps Communications Systems</td>
<td>104,835</td>
<td>104,835</td>
<td>112,835</td>
<td>[5,000]</td>
<td>109,835</td>
</tr>
<tr>
<td>197</td>
<td>0206623M</td>
<td>Marine Corps Ground Combat/Supporting Arms Systems</td>
<td>43,935</td>
<td>43,935</td>
<td>43,935</td>
<td>43,935</td>
<td></td>
</tr>
<tr>
<td>198</td>
<td>0206624M</td>
<td>Marine Corps Combat Services Support</td>
<td>8,483</td>
<td>8,483</td>
<td>8,483</td>
<td>8,483</td>
<td></td>
</tr>
<tr>
<td>199</td>
<td>0207162N</td>
<td>Tactical AIM Missiles</td>
<td>16,402</td>
<td>16,402</td>
<td>16,402</td>
<td>16,402</td>
<td></td>
</tr>
<tr>
<td>200</td>
<td>0207163N</td>
<td>Advanced Medium Range Air-to-Air Missile (AMRAAM)</td>
<td>10,795</td>
<td>9,795</td>
<td>10,795</td>
<td>10,795</td>
<td></td>
</tr>
<tr>
<td>201</td>
<td>0301303N</td>
<td>Maritime Intelligence</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>202</td>
<td>0301327N</td>
<td>Technical Reconnaissance and Surveillance</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>203</td>
<td>0301109N</td>
<td>Satellite Communications (SPACE)</td>
<td>54,230</td>
<td>44,230</td>
<td>54,230</td>
<td>54,230</td>
<td></td>
</tr>
<tr>
<td>204</td>
<td>0301440N</td>
<td>Information Systems Security Program</td>
<td>20,942</td>
<td>45,942</td>
<td>20,942</td>
<td>20,942</td>
<td></td>
</tr>
<tr>
<td>205</td>
<td>0301111N</td>
<td>Special Activities</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>206</td>
<td>0305160N</td>
<td>Navy Meteorological and Ocean Sensors-Space (METOC)</td>
<td>23,492</td>
<td>21,592</td>
<td>23,492</td>
<td>23,492</td>
<td></td>
</tr>
<tr>
<td>207</td>
<td>0305188N</td>
<td>Joint C4ISR Battle Center (JIC)</td>
<td>13,618</td>
<td>13,618</td>
<td>13,618</td>
<td></td>
<td></td>
</tr>
<tr>
<td>208</td>
<td>0305192N</td>
<td>Joint Military Intelligence Programs</td>
<td>7,179</td>
<td>7,179</td>
<td>7,179</td>
<td>7,179</td>
<td></td>
</tr>
<tr>
<td>209</td>
<td>0305204N</td>
<td>Tactical Unmanned Aerial Vehicles</td>
<td>66,349</td>
<td>66,349</td>
<td>77,349</td>
<td>66,349</td>
<td></td>
</tr>
</tbody>
</table>
### Title II - RDT and E

(Dollars in Thousands)

<table>
<thead>
<tr>
<th>Line No.</th>
<th>Program Element</th>
<th>Program Title</th>
<th>FY2002 Request</th>
<th>House Authorized</th>
<th>Senate Authorized</th>
<th>Conference Agreement Change</th>
<th>Authorized</th>
</tr>
</thead>
<tbody>
<tr>
<td>210</td>
<td>0305206N</td>
<td>Airborne Reconnaissance Systems</td>
<td>5,736</td>
<td>15,236</td>
<td>5,736</td>
<td>3,000</td>
<td>8,736</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Electro-optical Framing Reconnaissance</td>
<td></td>
<td></td>
<td>[9,500]</td>
<td>[]</td>
<td>3,000</td>
</tr>
<tr>
<td>211</td>
<td>0305207N</td>
<td>Manned Reconnaissance Systems</td>
<td>29,232</td>
<td>34,232</td>
<td>29,232</td>
<td>4,000</td>
<td>33,232</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Advanced Multiband Surveillance Systems</td>
<td></td>
<td></td>
<td>[5,000]</td>
<td>[]</td>
<td>4,000</td>
</tr>
<tr>
<td>212</td>
<td>0305208N</td>
<td>Distributed Common Ground Systems</td>
<td>4,467</td>
<td>5,467</td>
<td>4,467</td>
<td>4,467</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Upgrade Digital Imagery Workstation Suite (DIWS)</td>
<td></td>
<td></td>
<td>[1,000]</td>
<td>[]</td>
<td>1,000</td>
</tr>
<tr>
<td>213</td>
<td>0305927N</td>
<td>Naval Space Surveillance</td>
<td>4,237</td>
<td>4,237</td>
<td>4,237</td>
<td>4,237</td>
<td></td>
</tr>
<tr>
<td>214</td>
<td>0308601N</td>
<td>Modeling and Simulation Support</td>
<td>7,828</td>
<td>10,828</td>
<td>14,828</td>
<td>2,000</td>
<td>9,828</td>
</tr>
<tr>
<td></td>
<td></td>
<td>SPAWAR Enhanced Modeling &amp; Simulation Initiatives</td>
<td></td>
<td></td>
<td>[1,000]</td>
<td>[]</td>
<td>1,000</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Develop Better Modeling &amp; Simulation Tools to Aid Interoperability</td>
<td></td>
<td></td>
<td>[7,000]</td>
<td>[]</td>
<td>7,000</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Enhanced Modeling &amp; Simulation Initiatives</td>
<td></td>
<td></td>
<td>[2,000]</td>
<td>[]</td>
<td>2,000</td>
</tr>
<tr>
<td>215</td>
<td>0702207N</td>
<td>Depot Maintenance (Non-IF)</td>
<td>13,569</td>
<td>8,597</td>
<td>13,569</td>
<td>13,569</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Reduction to Support Higher Transformation Priorities</td>
<td></td>
<td></td>
<td>[-4,972]</td>
<td>[]</td>
<td>-4,972</td>
</tr>
<tr>
<td>216</td>
<td>0708011N</td>
<td>Industrial Preparedness</td>
<td>70,605</td>
<td>70,605</td>
<td>70,605</td>
<td>70,605</td>
<td></td>
</tr>
<tr>
<td>217</td>
<td>0708730N</td>
<td>Maritime Technology (MARITECH)</td>
<td>20,065</td>
<td>20,065</td>
<td>20,065</td>
<td>20,065</td>
<td></td>
</tr>
<tr>
<td>999N</td>
<td></td>
<td>Classified Programs</td>
<td>885,347</td>
<td>885,347</td>
<td>885,347</td>
<td></td>
<td></td>
</tr>
<tr>
<td>217a</td>
<td></td>
<td>Management Reform Initiatives</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Total, RDT&E Navy

<table>
<thead>
<tr>
<th></th>
<th>FY2002 Request</th>
<th>House Authorized</th>
<th>Senate Authorized</th>
<th>Conference Agreement Change</th>
<th>Authorized</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>11,123,389</td>
<td>10,863,274</td>
<td>11,134,806</td>
<td>(339,125)</td>
<td>10,784,264</td>
</tr>
</tbody>
</table>
CONGRESSIONAL RECORD—HOUSE

December 12, 2001

H9604

Follow-on support jamming aircraft

The budget request included $112.5 million in PE 64270N for electronic warfare development, but included no funds for pre-engineering and manufacturing development (EMD) risk reduction activities for a follow-on support jamming aircraft program to replace the EA-6B.

The House amendment would authorize an increase of $10.0 million for pre-EMD risk reduction activities for a follow-on support jamming aircraft program.

The Senate bill included no similar authorization.

The conferees agree to authorize no additional funds for a follow-on support jamming aircraft program.

The conferees recognize that the Department of Defense is scheduled to complete the Analysis of Alternatives (AoA) in December 2001 and believe that the Department will identify a need to replace the capability currently provided by the EA-6B fleet of electronic warfare aircraft. The conferees believe that the Department should move expeditiously to translate the results of that AoA into a plan that will avoid having the Nation presented with any gap in this important mission area.

Future destroyer program

The budget request included $288.4 million in PE 63123N and $355.1 million in PE 64300N for the DD-21 program.

The Senate bill would authorize the budget request.

The House amendment would authorize a decrease of $25.0 million in PE 63513N.

Subsequent to passage of both the Senate bill and the House amendment, the Navy announced intentions to restructure the DD-21 program to a family of surface combatants including a destroyer version, DD(X). However, the specifics of the proposed programs for development of the family of surface combatants were not available for the conferees to review.

Therefore, the conferees agree to authorize a decrease of $50.0 million in PE 63513N resulting from the delay in the down-select to a future destroyer detail design. The conferees will review the Navy’s decision to restructure DD-21 when the Navy makes available details of the cancellation of the current request for proposals and the proposed replacement program.

Littoral support craft—experimental

The budget request included $85.3 million in PE 63123N for force protection advanced technology, including $20.0 million for development and demonstration of experimental craft for littoral support operations. The Office of Naval Research has proposed to conduct a phased program to develop and demonstrate an experimental littoral support craft demonstrator (LSC-X) that would build upon development and evaluation of operational concepts at the component and subsystem level and provide the basis for operational experiments on the contribution that such craft could make to naval operations in the littoral.

The House amendment would authorize a total of $39.0 million in PE 63123N for development and demonstration of an LSC-X, including an increase of $19.0 million for demonstration and development of an experimental craft for littoral support operations.

The Senate bill included no similar authorization. However, the Senate report accompanying S. 1438 (S. Rept. 107-62) identified at least six efforts that the Navy has underway to test key technologies for future ship programs. The Senate report also would encourage the Navy to focus ship design efforts on programs that will collect the type of information that will be needed to make decisions on future combatant ships, the future amphibious ship (LH(X)), the future joint command and control ship (JCC(X)), and the maritime prepositioning force ship of the future (MPP(F)), rather than duplicating efforts already underway.

The conferees agree to authorize a total of $31.0 million in PE 63123N, an increase of $11.0 million, to continue the ONR program for development and demonstration of the LSC-X.

The conferees direct that the Secretary of the Navy identify the set of experimental objectives that the LSC-X program is intended to explore, and the objective measures of effectiveness that will be used to determine whether those objectives have been achieved. The conferees also direct the Secretary to define the program plan, the schedule, and the funding requirements for development of LSC-X. The Secretary should provide all of this information to the congressional defense committees by March 31, 2002.

Research, Development, Test and Evaluation, Air Force—Overview

The budget request for fiscal year 2002 included an authorization of $13,941.0 million for Research, Development, Test and Evaluation, Air Force in the Department of Defense.

The Senate bill would authorize $14,459.5 million.

The House amendment would authorize $14,465.7 million.

The conferees recommended an authorization of $14,407.2 million. Unless noted explicitly in the statement of managers, all changes are made without prejudice.
### Title II - RDT and E

(Dollars in Thousands)

<table>
<thead>
<tr>
<th>Line No.</th>
<th>Program Element</th>
<th>Program Title</th>
<th>FY2002 Request</th>
<th>House Authorized</th>
<th>Senate Authorized</th>
<th>Change</th>
<th>Conference Agreement Authorized</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>0601102F</td>
<td>Defense Research Sciences</td>
<td>220,869</td>
<td>220,869</td>
<td>220,869</td>
<td>220,869</td>
<td></td>
</tr>
<tr>
<td>2</td>
<td>0602102F</td>
<td>Materials</td>
<td>77,164</td>
<td>89,664</td>
<td>93,664</td>
<td>5,000</td>
<td>85,664</td>
</tr>
<tr>
<td></td>
<td></td>
<td>UV Free Electron Laser</td>
<td>[5,500]</td>
<td>[2,500]</td>
<td>[2,500]</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Special Aerospace Materials &amp; Manufacturing Processes</td>
<td>[4,500]</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Metals Affordability Initiative</td>
<td></td>
<td></td>
<td>5,000</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Special Aerospace Materials</td>
<td></td>
<td></td>
<td>3,500</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Thermal Management for Space Structures</td>
<td></td>
<td></td>
<td>2,500</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Environmentally Sound Coatings</td>
<td></td>
<td></td>
<td>1,500</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Titanium Matrix Composites</td>
<td></td>
<td></td>
<td>7,500</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Aerospace Vehicle Technologies</td>
<td></td>
<td></td>
<td>2,500</td>
<td></td>
<td></td>
</tr>
<tr>
<td>3</td>
<td>0602201F</td>
<td>Aerospace Vehicle Technologies</td>
<td>97,465</td>
<td>97,465</td>
<td>97,465</td>
<td>97,465</td>
<td></td>
</tr>
<tr>
<td>4</td>
<td>0602202F</td>
<td>Human Effectiveness Applied Research</td>
<td>69,080</td>
<td>73,080</td>
<td>69,080</td>
<td>69,080</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Advanced High Definition Display Technology</td>
<td>[4,000]</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>5</td>
<td>0602203F</td>
<td>Aerospace Propulsion</td>
<td>149,211</td>
<td>164,711</td>
<td>149,211</td>
<td>7,000</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Integrated High Payoff Rocket Propulsion Technology (IHRPPT)</td>
<td>[9,500]</td>
<td>[1,000]</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Pulse Detonation Engine</td>
<td>[6,000]</td>
<td>[4,000]</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>6</td>
<td>0602204F</td>
<td>Aerospace Sensors</td>
<td>84,149</td>
<td>70,049</td>
<td>84,149</td>
<td>84,149</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Reduction to Support Higher Transformation Priorities</td>
<td>[14,100]</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>7</td>
<td>0602206F</td>
<td>Hypersonic Technology Program</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>8</td>
<td>0602601F</td>
<td>Space Technology</td>
<td>61,086</td>
<td>61,086</td>
<td>61,086</td>
<td>61,086</td>
<td></td>
</tr>
<tr>
<td>9</td>
<td>0602602F</td>
<td>Conventional Munitions</td>
<td>49,270</td>
<td>49,270</td>
<td>49,270</td>
<td>49,270</td>
<td></td>
</tr>
</tbody>
</table>
### Title II - RDT and E
(Dollars in Thousands)

<table>
<thead>
<tr>
<th>Line No.</th>
<th>Program Element</th>
<th>Program Title</th>
<th>FY 2002 Request</th>
<th>House Authorized</th>
<th>Senate Authorized</th>
<th>Conference Change</th>
<th>Authorized</th>
</tr>
</thead>
<tbody>
<tr>
<td>10</td>
<td>0602605F</td>
<td>Directed Energy Technology</td>
<td>36,678</td>
<td>30,978</td>
<td>36,678</td>
<td></td>
<td>36,678</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Reduction to Support Higher Transformation Priorities</td>
<td>[-5,700]</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>11</td>
<td>0602702F</td>
<td>Command, Control and Communications</td>
<td>61,659</td>
<td>64,659</td>
<td>64,659</td>
<td></td>
<td>64,659</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Reduction to Support Higher Transformation Priorities</td>
<td>[-5,200]</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Information Protection and Authentication</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>12</td>
<td>0602805F</td>
<td>Dual Use Science and Technology Program</td>
<td>10,417</td>
<td>10,417</td>
<td>10,417</td>
<td></td>
<td>10,417</td>
</tr>
<tr>
<td>13</td>
<td>0603106F</td>
<td>Logistics Systems Technology</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>14</td>
<td>0603112F</td>
<td>Advanced Materials for Weapon Systems</td>
<td>32,748</td>
<td>37,748</td>
<td>3,500</td>
<td>36,248</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Ceramic Matrix Composites for Engines</td>
<td>[2,000]</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Materials Technologies for Aging Aircraft</td>
<td>[4,000]</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Spectral Aerospace Materials &amp; Manufacturing Processes</td>
<td>[4,500]</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Advanced Aluminum Aerostructures</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>15</td>
<td>0603202F</td>
<td>Aerospace Propulsion Subsystems Integration</td>
<td>55,809</td>
<td>60,809</td>
<td>55,809</td>
<td></td>
<td>55,809</td>
</tr>
<tr>
<td>16</td>
<td>0603203F</td>
<td>Advanced Aerospace Sensors</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Advanced Aerospace Sensors</td>
<td>[5,000]</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>17</td>
<td>0603205F</td>
<td>Flight Vehicle Technology</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>18</td>
<td>0603211F</td>
<td>Aerospace Technology D/A &amp; D/A</td>
<td>26,269</td>
<td>30,269</td>
<td>3,000</td>
<td>29,269</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Access to Space Joint System Program Office</td>
<td>[2,000]</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Fly-by-light Avionics for UCAV</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>19</td>
<td>0603216F</td>
<td>Aerospace Propulsion and Power Technology</td>
<td>114,335</td>
<td>114,335</td>
<td>114,335</td>
<td></td>
<td>114,335</td>
</tr>
<tr>
<td>20</td>
<td>0603227F</td>
<td>Personnel, Training and Simulation Technology</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
## Title II - RDT and E

(Dollars in Thousands)

<table>
<thead>
<tr>
<th>Line No.</th>
<th>Program Element</th>
<th>FY 2002 Request</th>
<th>House Authorized</th>
<th>Senate Authorized</th>
<th>Conference Agreement Change</th>
<th>Authorized</th>
</tr>
</thead>
<tbody>
<tr>
<td>22</td>
<td>0603245F Flight Vehicle Technology Integration</td>
<td>28,221</td>
<td>28,221</td>
<td>28,221</td>
<td>28,221</td>
<td></td>
</tr>
<tr>
<td>23</td>
<td>0603253F Advanced Sensor Integration</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>24</td>
<td>0603270F Electronic Combat Technology</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>25</td>
<td>0603302F Space and Missile Rocket Propulsion</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Air Force Research Laboratory (AFRL) Test Stands</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Integrated High Payoff Rocket Propulsion Technology (HIPRPT)</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>26</td>
<td>0603311F Ballistic Missile Technology</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>27</td>
<td>0603401F Advanced Spacecraft Technology</td>
<td>54,528</td>
<td>69,528</td>
<td>54,528</td>
<td>2,000</td>
<td>56,528</td>
</tr>
<tr>
<td></td>
<td>Low Cost Launch Technology (including Scorpions)</td>
<td>15,000</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>28</td>
<td>0603410F Space Systems Environmental Interactions Technology</td>
<td></td>
<td></td>
<td></td>
<td>2,000</td>
<td></td>
</tr>
<tr>
<td>29</td>
<td>0603444F Main Space Surveillance System (MSSS)</td>
<td>6,484</td>
<td>6,484</td>
<td>6,484</td>
<td></td>
<td>6,484</td>
</tr>
<tr>
<td>30</td>
<td>0603601F Conventional Weapons Technology</td>
<td>37,617</td>
<td>43,617</td>
<td>37,617</td>
<td>5,000</td>
<td>42,617</td>
</tr>
<tr>
<td></td>
<td>Low Cost Autonomous Attack System (LOCAAS)</td>
<td>8,000</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>31</td>
<td>0603605F Advanced Weapons Technology</td>
<td>43,758</td>
<td>38,758</td>
<td>43,758</td>
<td>5,000</td>
<td>43,758</td>
</tr>
<tr>
<td></td>
<td>Reduction to Support Higher Transformation Priorities</td>
<td>5,000</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>32</td>
<td>0603723F Environmental Engineering Technology</td>
<td>3,000</td>
<td></td>
<td></td>
<td></td>
<td>3,000</td>
</tr>
<tr>
<td></td>
<td>Texas Regional Institute for Environmental Studies (TRIES)</td>
<td>3,000</td>
<td></td>
<td></td>
<td></td>
<td>3,000</td>
</tr>
<tr>
<td>33</td>
<td>0603726F Aerospace Info Tech Sys Integration</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>34</td>
<td>0603789F CH Advanced Development</td>
<td>32,644</td>
<td>32,644</td>
<td>32,644</td>
<td></td>
<td>32,644</td>
</tr>
<tr>
<td>35</td>
<td>0603876F Space-Based Laser</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
## Title II - RDT and E
(Dollars in Thousands)

<table>
<thead>
<tr>
<th>Line No.</th>
<th>Program Element</th>
<th>Program Title</th>
<th>FY2002 Request</th>
<th>House Authorized</th>
<th>Senate Authorized</th>
<th>Conference Agreement Change</th>
<th>Authorized</th>
</tr>
</thead>
<tbody>
<tr>
<td>35a</td>
<td>0603XXXF</td>
<td>Warfighter Rapid Acquisition Process (WRAP) Rapid Transition Fund</td>
<td>74,200</td>
<td>[10,247]</td>
<td>[43,953]</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Transfer from PE 23761F (RDAF 113)</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>36</td>
<td>0603260F</td>
<td>Intelligence Advanced Development</td>
<td>4,482</td>
<td>4,482</td>
<td>4,482</td>
<td>4,482</td>
<td></td>
</tr>
<tr>
<td>37</td>
<td>0603319F</td>
<td>Airborne Laser Program</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>38</td>
<td>0603421F</td>
<td>NAVSTAR Global Positioning System III</td>
<td>78,358</td>
<td>78,358</td>
<td>78,358</td>
<td>78,358</td>
<td></td>
</tr>
<tr>
<td>39</td>
<td>0603430F</td>
<td>Advanced EHF MHSATCOM (SPACE)</td>
<td>549,659</td>
<td>522,659</td>
<td>549,659</td>
<td>549,659</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Reduction to Support Higher Transformation Priorities</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>40</td>
<td>0603432F</td>
<td>Polar MHSATCOM (SPACE)</td>
<td>18,724</td>
<td>13,724</td>
<td>18,724</td>
<td>18,724</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Reduction to Support Higher Transformation Priorities</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>41</td>
<td>0603434F</td>
<td>National Polar-orbiting Operational Environmental Satellite Sys (Space) - D</td>
<td>157,394</td>
<td>157,394</td>
<td>157,394</td>
<td>157,394</td>
<td></td>
</tr>
<tr>
<td>42</td>
<td>0603438F</td>
<td>Space Control Technology</td>
<td>33,022</td>
<td>23,022</td>
<td>33,022</td>
<td>33,022</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Reduction to Support Higher Transformation Priorities</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>43</td>
<td>0603617F</td>
<td>Command, Control, and Communication Applications</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>44</td>
<td>0603742F</td>
<td>Combat Identification Technology</td>
<td>11,523</td>
<td>11,523</td>
<td>11,523</td>
<td>11,523</td>
<td></td>
</tr>
<tr>
<td>45</td>
<td>0603790F</td>
<td>NATO Research and Development</td>
<td>5,616</td>
<td>5,616</td>
<td>5,616</td>
<td>5,616</td>
<td></td>
</tr>
<tr>
<td>46</td>
<td>0603800F</td>
<td>Joint Strike Fighter</td>
<td>10,000</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Reflect Delay in Decision About Down-select of JSF Winning Team</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>47</td>
<td>0603850F</td>
<td>Integrated Broadcast Service (Dem/Val)</td>
<td>20,529</td>
<td>17,529</td>
<td>20,529</td>
<td>17,529</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Reduction to Support Higher Transformation Priorities</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>48</td>
<td>0603851F</td>
<td>Intercontinental Ballistic Missile - Dem/Val</td>
<td>44,484</td>
<td>44,484</td>
<td>44,484</td>
<td>44,484</td>
<td></td>
</tr>
<tr>
<td>49</td>
<td>0603854F</td>
<td>Wideband Gapfiller System RDT&amp;E (Space)</td>
<td>96,670</td>
<td>96,670</td>
<td>96,670</td>
<td>96,670</td>
<td></td>
</tr>
<tr>
<td>Line No.</td>
<td>Program Element</td>
<td>Program Title</td>
<td>FY2002 Request</td>
<td>House Authorized</td>
<td>Senate Authorized</td>
<td>Conference Agreement Change</td>
<td>Authorized</td>
</tr>
<tr>
<td>---------</td>
<td>-----------------</td>
<td>---------------</td>
<td>----------------</td>
<td>------------------</td>
<td>--------------------</td>
<td>-----------------------------</td>
<td>-------------</td>
</tr>
<tr>
<td>50</td>
<td>06043856F</td>
<td>Air Force/National Program Cooperation (AFNPC)</td>
<td>4,433</td>
<td>4,433</td>
<td>(1,700)</td>
<td>2,733</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Reduction to Support Higher Transformation Priorities</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>51</td>
<td>06043859F</td>
<td>Pollution Prevention (Dem/Val)</td>
<td>2,688</td>
<td>2,688</td>
<td></td>
<td>2,688</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Reduction to Support Higher Transformation Priorities</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>52</td>
<td>06043860F</td>
<td>Joint Precision Approach and Landing Systems - Dem/Val</td>
<td>9,554</td>
<td>14,554</td>
<td>9,554</td>
<td>9,554</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>JPALS</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>53</td>
<td>06043827F</td>
<td>Hard and Deeply Buried Target Defeat System (HBDTDS) Program</td>
<td>34,544</td>
<td>34,544</td>
<td>34,544</td>
<td>34,544</td>
<td></td>
</tr>
<tr>
<td>54</td>
<td>06043840F</td>
<td>Global Broadcast Service (GBS)</td>
<td>34,544</td>
<td>34,544</td>
<td>34,544</td>
<td>34,544</td>
<td></td>
</tr>
<tr>
<td>55</td>
<td>06044012F</td>
<td>Joint Helmet Mounted Cuing System (JHMCS)</td>
<td>5,960</td>
<td>5,960</td>
<td>5,960</td>
<td>5,960</td>
<td></td>
</tr>
<tr>
<td>56</td>
<td>0604401F</td>
<td>Integrated Avionics Planning and Development</td>
<td>13,120</td>
<td>13,120</td>
<td>13,120</td>
<td>13,120</td>
<td></td>
</tr>
<tr>
<td>57</td>
<td>06044222F</td>
<td>Nuclear Weapons Support</td>
<td>194,507</td>
<td>194,507</td>
<td>194,507</td>
<td>194,507</td>
<td></td>
</tr>
<tr>
<td>58</td>
<td>06044226F</td>
<td>B-1B</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Transfer to O &amp; M, Air National Guard</td>
<td>4,885</td>
<td>4,885</td>
<td>4,885</td>
<td>4,885</td>
<td></td>
</tr>
<tr>
<td>59</td>
<td>06044227F</td>
<td>Distributed Mission Training (DMT)</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>60</td>
<td>0604423F</td>
<td>Specialized Undergraduate Pilot Training</td>
<td>865,464</td>
<td>865,464</td>
<td>865,464</td>
<td>865,464</td>
<td></td>
</tr>
<tr>
<td>61</td>
<td>06044239F</td>
<td>F-22 EMD</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>62</td>
<td>06044240F</td>
<td>B-2 Advanced Technology Bomber</td>
<td>155,004</td>
<td>245,004</td>
<td>229,004</td>
<td>49,900</td>
<td>204,904</td>
</tr>
</tbody>
</table>
## Title II - RDT and E

(Dollars in Thousands)

<table>
<thead>
<tr>
<th>Line No.</th>
<th>Program No.</th>
<th>Program Title</th>
<th>FY2002 Request</th>
<th>House Authorized</th>
<th>Senate Authorized</th>
<th>Conference Change</th>
<th>Authorized</th>
</tr>
</thead>
<tbody>
<tr>
<td>63</td>
<td>0604251F</td>
<td>Space-Based Radar EMD</td>
<td>50,000</td>
<td>50,000</td>
<td>50,000</td>
<td></td>
<td>50,000</td>
</tr>
<tr>
<td>64</td>
<td>0604270F</td>
<td>EW Development</td>
<td>41,267</td>
<td>54,567</td>
<td>54,567</td>
<td>[13,300]</td>
<td>[13,300]</td>
</tr>
<tr>
<td>65</td>
<td>0604328F</td>
<td>Precision Location &amp; Identification (PLAD)</td>
<td>40,235</td>
<td>40,235</td>
<td>40,235</td>
<td>40,235</td>
<td>40,235</td>
</tr>
<tr>
<td>66</td>
<td>0604329F</td>
<td>Extended Range Cruise Missile (ERCM)</td>
<td>40,000</td>
<td>40,000</td>
<td>40,000</td>
<td>40,000</td>
<td>40,000</td>
</tr>
<tr>
<td>67</td>
<td>0604441F</td>
<td>Small Diameter Bomb (SDB) (Dem/Val)</td>
<td>405,229</td>
<td>405,229</td>
<td>405,229</td>
<td>405,229</td>
<td>405,229</td>
</tr>
<tr>
<td>68</td>
<td>0604442F</td>
<td>Space Based Infrared System (SHIRS) High EMD</td>
<td>232,084</td>
<td>238,584</td>
<td>232,084</td>
<td>4,000</td>
<td>246,084</td>
</tr>
<tr>
<td>69</td>
<td>0604479F</td>
<td>Space Based Infrared System (SHIRS) Low EMD</td>
<td>6,500</td>
<td>6,500</td>
<td>6,500</td>
<td>6,500</td>
<td>6,500</td>
</tr>
<tr>
<td>70</td>
<td>0604690F</td>
<td>Satellite Planning &amp; Information Network (SPIN)</td>
<td>3,838</td>
<td>3,838</td>
<td>3,838</td>
<td>3,838</td>
<td>3,838</td>
</tr>
<tr>
<td>71</td>
<td>0604602F</td>
<td>Munitions Dispenser Development</td>
<td>4,809</td>
<td>4,809</td>
<td>4,809</td>
<td>4,809</td>
<td>4,809</td>
</tr>
<tr>
<td>72</td>
<td>0604604F</td>
<td>Armament/Ordnance Development</td>
<td>6,674</td>
<td>6,674</td>
<td>7,674</td>
<td>1,000</td>
<td>7,674</td>
</tr>
<tr>
<td>73</td>
<td>0604661F</td>
<td>Agile Combat Support</td>
<td>27,956</td>
<td>27,956</td>
<td>27,956</td>
<td>27,956</td>
<td>27,956</td>
</tr>
<tr>
<td>74</td>
<td>0604613F</td>
<td>Joint Direct Attack Munition</td>
<td>4,586</td>
<td>4,586</td>
<td>12,586</td>
<td>5,000</td>
<td>9,586</td>
</tr>
<tr>
<td>75</td>
<td>0604663F</td>
<td>Joint Direct Attack Munition</td>
<td>25,943</td>
<td>25,943</td>
<td>25,943</td>
<td>25,943</td>
<td>25,943</td>
</tr>
<tr>
<td>76</td>
<td>0604670F</td>
<td>Joint Direct Attack Munition</td>
<td>224</td>
<td>224</td>
<td>224</td>
<td>224</td>
<td>224</td>
</tr>
<tr>
<td>77</td>
<td>0604708F</td>
<td>Joint Direct Attack Munition</td>
<td>224</td>
<td>224</td>
<td>224</td>
<td>224</td>
<td>224</td>
</tr>
<tr>
<td>78</td>
<td>0604727F</td>
<td>Joint Direct Attack Munition</td>
<td>224</td>
<td>224</td>
<td>224</td>
<td>224</td>
<td>224</td>
</tr>
<tr>
<td>79</td>
<td>0604735F</td>
<td>Joint Direct Attack Munition</td>
<td>224</td>
<td>224</td>
<td>224</td>
<td>224</td>
<td>224</td>
</tr>
<tr>
<td>80</td>
<td>0604740F</td>
<td>Joint Direct Attack Munition</td>
<td>224</td>
<td>224</td>
<td>224</td>
<td>224</td>
<td>224</td>
</tr>
</tbody>
</table>
## Title II - RDT and E

(Dollars in Thousands)

<table>
<thead>
<tr>
<th>Line No.</th>
<th>Program Element</th>
<th>Program Title</th>
<th>FY2002 Request</th>
<th>House Authorized</th>
<th>Senate Authorized</th>
<th>Conference Agreement Change</th>
<th>Authorized</th>
</tr>
</thead>
<tbody>
<tr>
<td>81</td>
<td>0604750F</td>
<td>Intelligence Equipment</td>
<td>1,323</td>
<td>1,323</td>
<td>1,323</td>
<td></td>
<td>1,323</td>
</tr>
<tr>
<td>82</td>
<td>0604754F</td>
<td>Tactical Data Link Infrastructure</td>
<td>17,648</td>
<td>17,648</td>
<td>17,648</td>
<td></td>
<td>17,648</td>
</tr>
<tr>
<td>83</td>
<td>0604762F</td>
<td>Common Low Observables Verification System (CLOVeS)</td>
<td>6,713</td>
<td>6,713</td>
<td>6,713</td>
<td></td>
<td>6,713</td>
</tr>
<tr>
<td>84</td>
<td>0604779F</td>
<td>Tactical Data Link Interoperability</td>
<td>5,677</td>
<td>5,677</td>
<td>5,677</td>
<td></td>
<td>5,677</td>
</tr>
<tr>
<td>85</td>
<td>0604800F</td>
<td>Joint Strike Fighter EMD</td>
<td>769,511</td>
<td>779,511</td>
<td>615,911</td>
<td></td>
<td>769,511</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Alternative Engine Program</td>
<td></td>
<td>[10,000]</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>86</td>
<td>0604805F</td>
<td>Commercial Operations and Support Savings Initiative</td>
<td>81,086</td>
<td>81,086</td>
<td>81,086</td>
<td></td>
<td>81,086</td>
</tr>
<tr>
<td>87</td>
<td>0604851F</td>
<td>Intercontinental Ballistic Missile - EMD</td>
<td>320,321</td>
<td>320,321</td>
<td>320,321</td>
<td></td>
<td>320,321</td>
</tr>
<tr>
<td>88</td>
<td>0604853F</td>
<td>Evolved Expendable Launch Vehicle Program (SPACE) - EMD</td>
<td>320,321</td>
<td>320,321</td>
<td>320,321</td>
<td>[3,800]</td>
<td>[3,800]</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Composite Materials (Fence--Non-add)</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>89</td>
<td>0605011F</td>
<td>RDT&amp;E for Aging Aircraft</td>
<td>20,115</td>
<td>35,115</td>
<td>20,115</td>
<td>14,750</td>
<td>34,865</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Aging Landing Gear Life Extension</td>
<td></td>
<td>[15,000]</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>90</td>
<td>0207249F</td>
<td>Precision Attack Systems Procurement</td>
<td>5,984</td>
<td>5,984</td>
<td>5,984</td>
<td></td>
<td>5,984</td>
</tr>
<tr>
<td>91</td>
<td>0405176F</td>
<td>Combat Survivor Evader Locator</td>
<td>11,486</td>
<td>11,486</td>
<td>11,486</td>
<td></td>
<td>11,486</td>
</tr>
<tr>
<td>92</td>
<td>0401318F</td>
<td>CV-22</td>
<td>10,008</td>
<td>10,008</td>
<td>10,008</td>
<td></td>
<td>10,008</td>
</tr>
<tr>
<td>93</td>
<td>0604256F</td>
<td>Threat Simulator Development</td>
<td>38,153</td>
<td>38,153</td>
<td>38,153</td>
<td></td>
<td>38,153</td>
</tr>
<tr>
<td>94</td>
<td>0604759F</td>
<td>Major T&amp;E Investment</td>
<td>49,857</td>
<td>59,857</td>
<td>49,857</td>
<td>2,000</td>
<td>51,857</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Laser Induced Surface Improvement (LISI)</td>
<td></td>
<td></td>
<td></td>
<td>[6,000]</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Propulsion Wind Tunnel (PWT) Upgrade</td>
<td></td>
<td></td>
<td></td>
<td>[4,000]</td>
<td></td>
</tr>
<tr>
<td>95</td>
<td>0605101F</td>
<td>RAND Project Air Force</td>
<td>25,098</td>
<td>20,098</td>
<td>25,098</td>
<td>(3,000)</td>
<td>22,098</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Reduction to Support Higher Transformation Priorities</td>
<td></td>
<td></td>
<td></td>
<td>[-5,000]</td>
<td></td>
</tr>
</tbody>
</table>
### Title II - RDT and E
(Dollars in Thousands)

<table>
<thead>
<tr>
<th>Line No.</th>
<th>Program Element</th>
<th>Program Title</th>
<th>FY2002 Request</th>
<th>House Authorized</th>
<th>Senate Authorized</th>
<th>Change</th>
<th>Conference Agreement Authorized</th>
</tr>
</thead>
<tbody>
<tr>
<td>96</td>
<td>0605306F</td>
<td>Ranch Hand II Epidemiology Study</td>
<td>10,950</td>
<td>10,950</td>
<td>10,950</td>
<td>10,950</td>
<td>10,950</td>
</tr>
<tr>
<td>97</td>
<td>0605502F</td>
<td>Small Business Innovation Research</td>
<td>28,998</td>
<td>28,998</td>
<td>28,998</td>
<td>28,998</td>
<td>28,998</td>
</tr>
<tr>
<td>98</td>
<td>0605712F</td>
<td>Initial Operational Test &amp; Evaluation</td>
<td>396,583</td>
<td>382,983</td>
<td>396,583</td>
<td>396,583</td>
<td>396,583</td>
</tr>
<tr>
<td>99</td>
<td>0605807F</td>
<td>Test and Evaluation Support</td>
<td>-13,600</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>100</td>
<td>0605854F</td>
<td>Pollution Prevention</td>
<td>8,538</td>
<td>19,538</td>
<td>8,538</td>
<td>3,000</td>
<td>11,538</td>
</tr>
<tr>
<td>101</td>
<td>0605860F</td>
<td>Rocket Systems Launch Program (SPACE)</td>
<td>[11,000]</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>102</td>
<td>0605864F</td>
<td>Missile Technology Demonstration (MID)-3H</td>
<td>[5,000]</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>103</td>
<td>0804731F</td>
<td>Space Test Program (STP)</td>
<td>50,523</td>
<td>50,523</td>
<td>50,523</td>
<td>50,523</td>
<td></td>
</tr>
<tr>
<td>104</td>
<td>0909990F</td>
<td>High Accuracy Network Demonstration System (HANDS)</td>
<td>[3,000]</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>105</td>
<td>0909998F</td>
<td>General Skill Training</td>
<td>309</td>
<td>309</td>
<td>309</td>
<td>309</td>
<td></td>
</tr>
<tr>
<td>106</td>
<td>1001003F</td>
<td>Financing for Expired Account Adjustments</td>
<td>10,000</td>
<td>10,000</td>
<td>10,000</td>
<td>10,000</td>
<td></td>
</tr>
<tr>
<td>107</td>
<td>0101111F</td>
<td>Reduction to Support Higher Transformation Priorities</td>
<td>[10,000]</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>109</td>
<td>0101122F</td>
<td>B-52 Squadrons</td>
<td>66,874</td>
<td>66,874</td>
<td>66,874</td>
<td>66,874</td>
<td></td>
</tr>
<tr>
<td>110</td>
<td>0102325F</td>
<td>Advanced Cruise Missile</td>
<td>2,487</td>
<td>2,487</td>
<td>2,487</td>
<td>2,487</td>
<td></td>
</tr>
<tr>
<td>111</td>
<td>0102326F</td>
<td>Air-Launched Cruise Missile (ALCM)</td>
<td>6,841</td>
<td>6,841</td>
<td>6,841</td>
<td>6,841</td>
<td></td>
</tr>
<tr>
<td>112</td>
<td>0102411F</td>
<td>Atmospheric Early Warning System</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>113</td>
<td>0102412F</td>
<td>Region/Sector Operation Control Center Modernization Program</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>114</td>
<td>0102413F</td>
<td>North Atlantic Defense System</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
# Title II - RDT and E

(Dollars in Thousands)

<table>
<thead>
<tr>
<th>Line No.</th>
<th>Program Element</th>
<th>Program Title</th>
<th>FY2002 Request</th>
<th>House Authorized</th>
<th>Senate Authorized</th>
<th>Conference Change</th>
<th>Authorized</th>
</tr>
</thead>
<tbody>
<tr>
<td>113</td>
<td>02073761F</td>
<td>Warfighter Rapid Acquisition Process (WRAP) Rapid Transition Fund Transfer to PE 63XXXF (RDAF 35a)</td>
<td>30,247</td>
<td>30,247</td>
<td>30,247</td>
<td>-30,247</td>
<td></td>
</tr>
<tr>
<td>114</td>
<td>0207027F</td>
<td>ACISR Center</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>115</td>
<td>0207028F</td>
<td>Joint Expeditionary Force Experiment Reduction to Support Higher Transformation Priorities</td>
<td>64,005</td>
<td>34,605</td>
<td>64,005</td>
<td>64,005</td>
<td></td>
</tr>
<tr>
<td>116</td>
<td>0207131F</td>
<td>A-10 Squadrons</td>
<td>3,049</td>
<td>3,049</td>
<td>3,049</td>
<td>3,049</td>
<td></td>
</tr>
<tr>
<td>117</td>
<td>0207133F</td>
<td>F-16 Squadrons</td>
<td>110,797</td>
<td>80,797</td>
<td>110,797</td>
<td>110,797</td>
<td></td>
</tr>
<tr>
<td>118</td>
<td>0207134F</td>
<td>F-15E Squadrons Reduction to Support Higher Transformation Priorities</td>
<td>101,439</td>
<td>75,939</td>
<td>109,859</td>
<td>500</td>
<td></td>
</tr>
<tr>
<td>119</td>
<td>0207136F</td>
<td>IFF Systems Integration &amp; Testing</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>120</td>
<td>0207138F</td>
<td>Manned Destructive Suppression</td>
<td>22,239</td>
<td>22,239</td>
<td>22,239</td>
<td>22,239</td>
<td></td>
</tr>
<tr>
<td>121</td>
<td>0207141F</td>
<td>F-117A Squadrons Reduction to Support Higher Transformation Priorities</td>
<td>16,092</td>
<td>992</td>
<td>16,092</td>
<td>16,092</td>
<td></td>
</tr>
<tr>
<td>122</td>
<td>0207161F</td>
<td>Tactical AIM Missiles</td>
<td>2,305</td>
<td>2,305</td>
<td>2,305</td>
<td>2,305</td>
<td></td>
</tr>
<tr>
<td>123</td>
<td>0207163F</td>
<td>Advanced Medium Range Air-to-Air Missile (AMRAAM)</td>
<td>5,771</td>
<td>5,771</td>
<td>5,771</td>
<td>5,771</td>
<td></td>
</tr>
<tr>
<td>124</td>
<td>0207247F</td>
<td>AF TENCAP GPS - Jammers Detection &amp; Location System (GPS-JLOC)</td>
<td>57,702</td>
<td>57,702</td>
<td>57,702</td>
<td>57,702</td>
<td></td>
</tr>
<tr>
<td>125</td>
<td>0207248F</td>
<td>Special Evaluation Program Classified Adjustment</td>
<td>100,027</td>
<td>100,027</td>
<td>100,027</td>
<td>100,027</td>
<td></td>
</tr>
<tr>
<td>126</td>
<td>0207253F</td>
<td>Compass Call</td>
<td>3,908</td>
<td>3,908</td>
<td>3,908</td>
<td>3,908</td>
<td></td>
</tr>
<tr>
<td>Line No.</td>
<td>Program Element</td>
<td>Program Title</td>
<td>FY2002 Request</td>
<td>House Authorized</td>
<td>Senate Authorized</td>
<td>Conference Agreement Change</td>
<td>Conference Agreement Authorized</td>
</tr>
<tr>
<td>---------</td>
<td>----------------</td>
<td>-------------------------------------------------------------------------------</td>
<td>----------------</td>
<td>------------------</td>
<td>--------------------</td>
<td>-------------------------------</td>
<td>--------------------------------</td>
</tr>
<tr>
<td>127</td>
<td>0207268F</td>
<td>Aircraft Engine Component Improvement Program</td>
<td>175,101</td>
<td>149,601</td>
<td>175,101</td>
<td>(8,500)</td>
<td>166,601</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Reduction to Support Higher Transformation Priorities</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>128</td>
<td>0207277F</td>
<td>CSAF Innovation Program</td>
<td>1,961</td>
<td></td>
<td>1,961</td>
<td></td>
<td>1,961</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Reduction to Support Higher Transformation Priorities</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>129</td>
<td>0207320F</td>
<td>Sensor Fused Weapons</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>130</td>
<td>0207325F</td>
<td>Joint Air-to-Surface Standoff Missile (JASSM)</td>
<td>79,197</td>
<td>79,197</td>
<td>79,197</td>
<td></td>
<td>79,197</td>
</tr>
<tr>
<td>131</td>
<td>0207410F</td>
<td>Aerospace Operations Center (AOC)</td>
<td>19,514</td>
<td>9,514</td>
<td>19,514</td>
<td></td>
<td>19,514</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Reduction to Support Higher Transformation Priorities</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>132</td>
<td>0207412F</td>
<td>Control and Reporting Center (CRC)</td>
<td>7,047</td>
<td>7,047</td>
<td>7,047</td>
<td></td>
<td>7,047</td>
</tr>
<tr>
<td>133</td>
<td>0207417F</td>
<td>Airborne Warning and Control System (AWACS)</td>
<td>39,787</td>
<td>39,787</td>
<td>39,787</td>
<td></td>
<td>39,787</td>
</tr>
<tr>
<td>134</td>
<td>0207421F</td>
<td>Advanced Communications Systems</td>
<td>9,324</td>
<td>9,324</td>
<td>9,324</td>
<td></td>
<td>9,324</td>
</tr>
<tr>
<td>135</td>
<td>0207424F</td>
<td>Evaluation and Analysis Program</td>
<td>204,467</td>
<td>204,467</td>
<td>204,467</td>
<td></td>
<td>204,467</td>
</tr>
<tr>
<td>136</td>
<td>0207431F</td>
<td>Advanced Program Technology</td>
<td>107,716</td>
<td>118,216</td>
<td>107,716</td>
<td></td>
<td>107,716</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Classified Adjustment</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>137</td>
<td>0207438F</td>
<td>Theater Battle Management (TBM) C4I</td>
<td>37,331</td>
<td>37,331</td>
<td>37,331</td>
<td></td>
<td>37,331</td>
</tr>
<tr>
<td>138</td>
<td>0207581F</td>
<td>Joint Surveillance and Target Attack Radar System (Joint STARS)</td>
<td>147,859</td>
<td>246,859</td>
<td>159,359</td>
<td>11,500</td>
<td>159,359</td>
</tr>
<tr>
<td></td>
<td></td>
<td>JSTARS Ocean Surveillance</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Multi-platform Radar Technology Insertion Program (MP-RTIP)</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Transfer from APAF 58 - SATCOM Kit Development</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Transfer from APAF 58 - Global Air Traffic Management (GATM) - Radio Integration</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>139</td>
<td>0207590F</td>
<td>Seek Eagle</td>
<td>17,833</td>
<td>17,833</td>
<td>17,833</td>
<td></td>
<td>17,833</td>
</tr>
<tr>
<td>140</td>
<td>0207591F</td>
<td>Advanced Program Evaluation</td>
<td>82,397</td>
<td>82,397</td>
<td>82,197</td>
<td></td>
<td>82,197</td>
</tr>
</tbody>
</table>
### Title II - RDT and E

(Dollars in Thousands)

<table>
<thead>
<tr>
<th>Line No.</th>
<th>Program No.</th>
<th>Program Element</th>
<th>Program Title</th>
<th>FY2002 Request</th>
<th>House Authorized</th>
<th>Senate Authorized</th>
<th>Conference Change</th>
<th>Agreement Authorized</th>
</tr>
</thead>
<tbody>
<tr>
<td>141</td>
<td>0207601F</td>
<td>USAF Modeling and Simulation</td>
<td></td>
<td>25,345</td>
<td>27,345</td>
<td>25,345</td>
<td>1,000</td>
<td>26,345</td>
</tr>
<tr>
<td>142</td>
<td>0207605F</td>
<td>Synthetic Theater Operations Research Model (STORM)</td>
<td></td>
<td>[2,000]</td>
<td>5,033</td>
<td>5,033</td>
<td>[1,000]</td>
<td>5,033</td>
</tr>
<tr>
<td>143</td>
<td>0207701F</td>
<td>Wargaming and Simulation Centers</td>
<td></td>
<td>3,763</td>
<td>3,763</td>
<td>3,763</td>
<td>3,763</td>
<td>3,763</td>
</tr>
<tr>
<td>144</td>
<td>0208006F</td>
<td>Full Combat Mission Training</td>
<td></td>
<td>16,904</td>
<td>16,904</td>
<td>16,904</td>
<td>16,904</td>
<td>16,904</td>
</tr>
<tr>
<td>145</td>
<td>0208021F</td>
<td>Mission Planning Systems</td>
<td></td>
<td>1,803</td>
<td>1,803</td>
<td>1,803</td>
<td>1,803</td>
<td>1,803</td>
</tr>
<tr>
<td>146</td>
<td>0208041F</td>
<td>Information Warfare Support</td>
<td></td>
<td>154,621</td>
<td>154,621</td>
<td>154,621</td>
<td>154,621</td>
<td>154,621</td>
</tr>
<tr>
<td>148</td>
<td>0208101F</td>
<td>Theater Missile Defenses</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>149</td>
<td>0208161F</td>
<td>Technical Evaluation System</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>150</td>
<td>0301110F</td>
<td>Special Evaluation System</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>151</td>
<td>0301131F</td>
<td>National Air Intelligence Center</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>152</td>
<td>0301134F</td>
<td>COBRA HALE</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>153</td>
<td>0301151F</td>
<td>Missile and Space Technical Collection</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>154</td>
<td>0301124F</td>
<td>FOREST GREEN</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>155</td>
<td>0301137F</td>
<td>NUDET Detection System</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>156</td>
<td>0302015F</td>
<td>Management Headquarters GDP</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>158</td>
<td>0303121F</td>
<td>Defense Satellite Communications System (SPACE)</td>
<td></td>
<td>3,895</td>
<td>3,895</td>
<td>3,895</td>
<td>3,895</td>
<td>3,895</td>
</tr>
<tr>
<td>159</td>
<td>0303124F</td>
<td>Air Force Communications (AFCOM)</td>
<td></td>
<td>31,828</td>
<td>31,828</td>
<td>31,828</td>
<td>31,828</td>
<td>31,828</td>
</tr>
<tr>
<td>160</td>
<td>0303131F</td>
<td>Minimum Essential Emergency Communications Network (MEECN)</td>
<td></td>
<td>5,982</td>
<td>5,982</td>
<td>5,982</td>
<td>5,982</td>
<td>5,982</td>
</tr>
<tr>
<td>160</td>
<td>0303140F</td>
<td>Information Systems Security Program</td>
<td></td>
<td>7,936</td>
<td>7,936</td>
<td>12,936</td>
<td>[5,000]</td>
<td>10,936</td>
</tr>
<tr>
<td>Line No.</td>
<td>Program Element</td>
<td>Program Title</td>
<td>FY2002 Request</td>
<td>House Authorized</td>
<td>Senate Authorized</td>
<td>Conference Agreement Change</td>
<td>Authorized</td>
<td></td>
</tr>
<tr>
<td>---------</td>
<td>-----------------</td>
<td>--------------------------------------------------------------------------------</td>
<td>----------------</td>
<td>------------------</td>
<td>-------------------</td>
<td>----------------------------</td>
<td>------------</td>
<td></td>
</tr>
<tr>
<td>161</td>
<td>0303141F</td>
<td>Global Combat Support System</td>
<td>48,911</td>
<td>48,911</td>
<td>48,911</td>
<td>48,911</td>
<td></td>
<td></td>
</tr>
<tr>
<td>162</td>
<td>0303150F</td>
<td>Global Command and Control System</td>
<td>3,521</td>
<td>3,521</td>
<td>3,521</td>
<td>3,521</td>
<td></td>
<td></td>
</tr>
<tr>
<td>163</td>
<td>0303401F</td>
<td>Communications Security (COMSEC)</td>
<td>4,131</td>
<td>4,131</td>
<td>4,131</td>
<td>4,131</td>
<td></td>
<td></td>
</tr>
<tr>
<td>164</td>
<td>0303601F</td>
<td>MILSATCOM Terminals</td>
<td>41,763</td>
<td>41,763</td>
<td>41,763</td>
<td>41,763</td>
<td></td>
<td></td>
</tr>
<tr>
<td>165</td>
<td>0304111F</td>
<td>Special Activities</td>
<td></td>
<td></td>
<td>58,900</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>166</td>
<td>0304311F</td>
<td>Selected Activities</td>
<td>79,208</td>
<td>79,208</td>
<td>79,208</td>
<td>79,208</td>
<td></td>
<td></td>
</tr>
<tr>
<td>167</td>
<td>0305099F</td>
<td>Global Air Traffic Management (GATM)</td>
<td>9,331</td>
<td>9,331</td>
<td>9,331</td>
<td>9,331</td>
<td></td>
<td></td>
</tr>
<tr>
<td>168</td>
<td>0305100F</td>
<td>Satellite Control Network (SPACE)</td>
<td>56,349</td>
<td>56,349</td>
<td>56,349</td>
<td>56,349</td>
<td></td>
<td></td>
</tr>
<tr>
<td>169</td>
<td>0305111F</td>
<td>Weather Service</td>
<td>11,452</td>
<td>11,452</td>
<td>11,452</td>
<td>11,452</td>
<td></td>
<td></td>
</tr>
<tr>
<td>170</td>
<td>0305114F</td>
<td>Air Traffic Control, Approach, and Landing System (ATCAS)</td>
<td>26,982</td>
<td>26,982</td>
<td>26,982</td>
<td>26,982</td>
<td></td>
<td></td>
</tr>
<tr>
<td>171</td>
<td>0305128F</td>
<td>Security and Investigative Activities</td>
<td>472</td>
<td>472</td>
<td>472</td>
<td>472</td>
<td></td>
<td></td>
</tr>
<tr>
<td>172</td>
<td>0305142F</td>
<td>Applied Technology and Integration</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>173</td>
<td>0305144F</td>
<td>Titan Space Launch Vehicles (SPACE)</td>
<td>21,293</td>
<td>21,293</td>
<td>21,293</td>
<td>21,293</td>
<td></td>
<td></td>
</tr>
<tr>
<td>174</td>
<td>0305159F</td>
<td>Defense Reconnaissance Support Activities (SPACE)</td>
<td>46,578</td>
<td>46,578</td>
<td>46,578</td>
<td>46,578</td>
<td></td>
<td></td>
</tr>
<tr>
<td>175</td>
<td>0305160F</td>
<td>Defense Meteorological Satellite Program (SPACE)</td>
<td>12,259</td>
<td>12,259</td>
<td>12,259</td>
<td>12,259</td>
<td></td>
<td></td>
</tr>
<tr>
<td>176</td>
<td>0305164F</td>
<td>NAVSTAR Global Positioning System (User Equipment) (SPACE)</td>
<td>53,093</td>
<td>53,093</td>
<td>53,093</td>
<td>53,093</td>
<td></td>
<td></td>
</tr>
<tr>
<td>177</td>
<td>0305165F</td>
<td>NAVSTAR Global Positioning System (Space and Control Segments)</td>
<td>186,459</td>
<td>186,459</td>
<td>186,459</td>
<td>186,459</td>
<td></td>
<td></td>
</tr>
<tr>
<td>178</td>
<td>0305172F</td>
<td>Combined Advanced Applications</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>179</td>
<td>0305182F</td>
<td>Spacecraft Range System (SPACE): Range Safety Improvements</td>
<td>65,097</td>
<td>65,097</td>
<td>83,097</td>
<td>65,097</td>
<td>[18,000]</td>
<td></td>
</tr>
<tr>
<td>180</td>
<td>0305202F</td>
<td>Dragon U-2 (JMPF)</td>
<td>32,804</td>
<td>32,804</td>
<td>36,804</td>
<td>3,000</td>
<td>35,804</td>
<td></td>
</tr>
</tbody>
</table>
## Title II - RDT and E

(Dollars in Thousands)

<table>
<thead>
<tr>
<th>Line No.</th>
<th>Program No.</th>
<th>Program Title</th>
<th>FV2002 Request</th>
<th>House Authorized</th>
<th>Senate Authorized</th>
<th>Conference Change</th>
<th>Authorized</th>
</tr>
</thead>
<tbody>
<tr>
<td>181</td>
<td>0305205F</td>
<td>Endurance Unmanned Aerial Vehicles</td>
<td>190,237</td>
<td>190,237</td>
<td>206,237</td>
<td></td>
<td>190,237</td>
</tr>
<tr>
<td>182</td>
<td>0305206F</td>
<td>Airborne Reconnaissance Systems</td>
<td>77,766</td>
<td>97,266</td>
<td>77,766</td>
<td>12,000</td>
<td>89,766</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Global Hawk SIGINT Demonstration</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Combat-Sent Passive Airborne Ranging</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Theater Airborne Reconnaissance Systems</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>183</td>
<td>0305207F</td>
<td>Manned Reconnaissance Systems</td>
<td>11,429</td>
<td>33,929</td>
<td>11,429</td>
<td>2,000</td>
<td>13,429</td>
</tr>
<tr>
<td>184</td>
<td>0305208F</td>
<td>Distributed Common Ground Systems</td>
<td>32,591</td>
<td>12,591</td>
<td>36,991</td>
<td></td>
<td>32,591</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Network-centric Collaborative Targeting (NCCT) Functionality in DCGS</td>
<td>15,797</td>
<td>15,797</td>
<td>15,797</td>
<td></td>
<td>15,797</td>
</tr>
<tr>
<td>185</td>
<td>0305906F</td>
<td>NCMC - TW/AA System</td>
<td></td>
<td>22,500</td>
<td></td>
<td></td>
<td>22,500</td>
</tr>
<tr>
<td>186</td>
<td>0305910F</td>
<td>SPACE/THACK (SPACE)</td>
<td></td>
<td>32,591</td>
<td></td>
<td></td>
<td>32,591</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Reduction to Support Higher Transformation Priorities</td>
<td></td>
<td></td>
<td></td>
<td>[-20,000]</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Space Surveillance Modernization - Camera Augmentation</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Transfer to OPAF 62 -- Camera Spares</td>
<td></td>
<td></td>
<td></td>
<td>[8,000]</td>
<td></td>
</tr>
<tr>
<td>187</td>
<td>0305911F</td>
<td>Defense Support Program (SPACE)</td>
<td></td>
<td>6,363</td>
<td></td>
<td></td>
<td>6,363</td>
</tr>
<tr>
<td>188</td>
<td>0305913F</td>
<td>NUDET Detection System (SPACE)</td>
<td></td>
<td>18,823</td>
<td></td>
<td></td>
<td>18,823</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Incorporate NUDET on First GPS Block HFF</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>189</td>
<td>0305917F</td>
<td>Space Architect</td>
<td>3,697</td>
<td>3,697</td>
<td>3,697</td>
<td></td>
<td>3,697</td>
</tr>
<tr>
<td>190</td>
<td>0308601F</td>
<td>Modeling and Simulation Support</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>191</td>
<td>0308699F</td>
<td>Shared Early Warning (SEW)</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Line No.</td>
<td>Program No.</td>
<td>Program Element</td>
<td>Program Title</td>
<td>FY2002 Request</td>
<td>House Authorized</td>
<td>Senate Authorized</td>
<td>Conference Agreement Change</td>
</tr>
<tr>
<td>---------</td>
<td>-------------</td>
<td>-------------------------------</td>
<td>---------------------------------------------------</td>
<td>----------------</td>
<td>------------------</td>
<td>-------------------</td>
<td>---------------------------</td>
</tr>
<tr>
<td>192</td>
<td>0401115F</td>
<td>C-130 Airlift Squadron</td>
<td></td>
<td>80,533</td>
<td>80,533</td>
<td>80,533</td>
<td>80,533</td>
</tr>
<tr>
<td>193</td>
<td>0401119F</td>
<td>C-5 Airlift Squadrons</td>
<td></td>
<td>166,508</td>
<td>166,508</td>
<td>166,508</td>
<td>166,508</td>
</tr>
<tr>
<td>194</td>
<td>0401130F</td>
<td>C-17 Aircraft</td>
<td></td>
<td>110,619</td>
<td>110,619</td>
<td>110,619</td>
<td>110,619</td>
</tr>
<tr>
<td>195</td>
<td>0401134F</td>
<td>Large Aircraft IR Countermeasures (L AIRCM)</td>
<td>Reduction to Support Higher Transformation Priorities</td>
<td>62,530</td>
<td>62,530</td>
<td>62,530</td>
<td>62,530</td>
</tr>
<tr>
<td>196</td>
<td>0401214F</td>
<td>Air Cargo Material Handling (463-1) (Non-IF)</td>
<td></td>
<td>2,371</td>
<td>(3,045)</td>
<td>(3,045)</td>
<td>2,371</td>
</tr>
<tr>
<td>197</td>
<td>0401218F</td>
<td>KC-135s</td>
<td></td>
<td>22,774</td>
<td>22,774</td>
<td>22,774</td>
<td>22,774</td>
</tr>
<tr>
<td>198</td>
<td>0401219F</td>
<td>KC-10s</td>
<td></td>
<td>53,782</td>
<td>59,782</td>
<td>53,782</td>
<td>53,782</td>
</tr>
<tr>
<td>199</td>
<td>0404011F</td>
<td>Special Operations Forces</td>
<td></td>
<td>106</td>
<td>106</td>
<td>106</td>
<td>106</td>
</tr>
<tr>
<td>200</td>
<td>0702207F</td>
<td>Depot Maintenance (Non-IF)</td>
<td></td>
<td>1,542</td>
<td>1,542</td>
<td>1,542</td>
<td>1,542</td>
</tr>
<tr>
<td>201</td>
<td>0708011F</td>
<td>Industrial Preparedness</td>
<td></td>
<td>20,689</td>
<td>20,689</td>
<td>20,689</td>
<td>20,689</td>
</tr>
<tr>
<td>202</td>
<td>0708026F</td>
<td>Productivity, Reliability, Availability, Maintain. Prog Ofc (PRAMPO)</td>
<td></td>
<td>106</td>
<td>106</td>
<td>106</td>
<td>106</td>
</tr>
<tr>
<td>203</td>
<td>0708071F</td>
<td>Joint Logistics Program - Ammunition Standard System</td>
<td></td>
<td>24,221</td>
<td>24,221</td>
<td>24,221</td>
<td>24,221</td>
</tr>
<tr>
<td>204</td>
<td>0708061F</td>
<td>Support Systems Development</td>
<td></td>
<td>24,221</td>
<td>24,221</td>
<td>24,221</td>
<td>24,221</td>
</tr>
<tr>
<td>205</td>
<td>0708062F</td>
<td>Computer Resources Support Improvement Program (CRSSIP)</td>
<td></td>
<td>2,376</td>
<td>2,376</td>
<td>2,376</td>
<td>2,376</td>
</tr>
<tr>
<td>206</td>
<td>0901218F</td>
<td>Civilian Compensation Program</td>
<td></td>
<td>7,019</td>
<td>7,019</td>
<td>7,019</td>
<td>7,019</td>
</tr>
<tr>
<td>207</td>
<td>1001018F</td>
<td>NATO Joint STARS</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
### Title II - RDT and E  
(Dollars in Thousands)

<table>
<thead>
<tr>
<th>Line No.</th>
<th>Program Element</th>
<th>Program Title</th>
<th>FY2002 Request</th>
<th>House Authorized</th>
<th>Senate Authorized</th>
<th>Conference Agreement Change</th>
<th>Authorized</th>
</tr>
</thead>
<tbody>
<tr>
<td>999F</td>
<td>Classified Programs</td>
<td>Transfer NUDETS to Air Force Funding</td>
<td>4,424,521</td>
<td>4,424,521</td>
<td>4,402,821</td>
<td>(-22,700)</td>
<td>4,401,821</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Other</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>207a</td>
<td>Management Reform Initiatives</td>
<td>Total, RDT&amp;E Air Force</td>
<td>14,343,982</td>
<td>14,485,653</td>
<td>14,459,457</td>
<td>63,205</td>
<td>14,407,187</td>
</tr>
</tbody>
</table>

*Note: Conf. 1 108-108 09/26/02. 1 109-109 05/16/02. 1 110-110 06/23/02.*
Joint Strike Fighter

The budget request included no funding for PE 63800N or PE 63800P for continuing demonstration and validation (DEMVAL) of the joint strike fighter (JSF). The budget request included $767.3 million for PE 64800N and $769.5 million for PE 64800P to complete the engineering and manufacturing development (EMD) of the JSF.

The Senate bill would authorize an increase of $30.0 million for PE 63800N and an increase of $20.0 million for PE 63800F to continue JSF DEMVAL. The Senate bill would also authorize a decrease of $153.6 million for PE 64800N and a decrease of $153.6 million for PE 64800P. The Senate bill based these actions on a possible delay in the award of the EMD contract.

The House amendment would authorize the budget request for PE 64800N, and an increase of $10.0 million for PE 64800F for the JSF alternate engine program.

The conferees agree to authorize the budget request. The conferees remain concerned about the technical risks associated with the JSF aircraft engine and expect the Department to develop and integrate the JSF alternate engine within the EMD program. The conferees believe that the Department should execute the alternate engine program with a goal of having that engine integrated into the JSF prior to full rate production.

The conferees are aware of the potential long-term impact to the military aircraft industrial base as a result of the recently completed source selection. Source selection talking points, released by the Department of Defense (DOD) at the announcement of the selection, stated: “The JSF downselect may lead companies to reassess their strategic position and teaming arrangements. The expertise resident in the teams not selected today can still make a contribution to the JSF effort through revised industrial teaming arrangements. DoD will encourage teaming arrangements that make the most efficient use of the expertise in the industrial base to deliver the ‘best value’ product.”

The conferees direct the Under Secretary of Defense for Acquisition, Technology, and Logistics to submit a report, with the submission of the fiscal year 2003 budget request, which details: (1) projections for the military aircraft industrial base, to include foreign military sales, between now and fiscal year 2015; and (2) actions taken by the DOD to encourage teaming arrangements in the JSF program that make the most efficient use of the expertise in the industrial base.

Low cost launch technologies

The budget request included $54.5 million in PE 63401F for advanced spacecraft technology, but included no funds for low cost launch technology.

The Senate bill would authorize the funds authorized in PE 63882C for the Midcourse Ground Defense System, $15.0 million for the Excalibur and Scorpius low cost launch concepts.

The House amendment would authorize $15.0 million in PE 63401F for low cost launch technologies, including Scorpius.

The conferees note that the Air Force has terminated the Excalibur project. The conferees agree to authorize an increase of $2.0 million in PE 63401F for low cost launch technologies, including Scorpius. Of the funds authorized in PE 63401F, an additional $13.0 million may be used for low cost launch technologies, including Scorpius.

Special aerospace materials and materials manufacturing processes

The budget request included $77.2 million for PE 63102F for applied research in materials, $32.7 million for PE 63112F for advanced development of advanced materials for weapons systems, and $53.8 million in PE 78011F for the Air Force’s manufacturing technology program.

The House amendment would authorize increases of $4.5 million in PE 62102F, $4.5 million in PE 63112F, and $3.5 million in PE 78011F to continue the program for development and demonstration of special aerospace materials and materials manufacturing processes.

The Senate bill would authorize an increase of $16.5 in PE 62102F, including $5.0 million for improvements in the manufacturing of speciality aerospace materials.

The conferees agree to an increase of $3.5 million in PE 62102F to continue the program for applied research and development in special aerospace materials and materials manufacturing processes.

The conferees note the continuing need of the military services for advances in speciality aerospace metals and metal alloys for aircraft and space vehicle structures, propulsion, components, and weapon systems. The conferees direct the Secretary of the Air Force, in coordination with the Secretary of the Navy, to assess the requirements for advanced aerospace metals and alloys and report to the congressional defense committees on the plan, including budget, schedule, and technology demonstrations, for meeting these requirements with the submission of the fiscal year 2004 budget request.

Research, Development, Test and Evaluation, Defense-Wide—Overview


The Senate bill would authorize $13,878.7 million.

The House amendment would authorize $15,109.6 million.

The conferees recommended an authorization of $14,372.6 million. Unless noted explicitly in the statement of managers, all changes are made without prejudice.
Title II - RDT and E  
(Dollars in Thousands)

<table>
<thead>
<tr>
<th>Line No.</th>
<th>Program Element</th>
<th>Program Title</th>
<th>FY 2002 Request</th>
<th>House Authorized</th>
<th>Senate Authorized</th>
<th>House Change</th>
<th>Senate Change</th>
<th>Conference Agreement Authorized</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>06011011DBZ</td>
<td>In-House Laboratory Independent Research</td>
<td>2,097</td>
<td>2,097</td>
<td>2,097</td>
<td></td>
<td></td>
<td>2,097</td>
</tr>
<tr>
<td>2</td>
<td>06011014E</td>
<td>Defense Research Sciences</td>
<td>121,003</td>
<td>121,003</td>
<td>121,003</td>
<td></td>
<td></td>
<td>121,003</td>
</tr>
<tr>
<td>3</td>
<td>0601101DBZ</td>
<td>University Research Initiatives</td>
<td>240,374</td>
<td>243,374</td>
<td>245,374</td>
<td>2,000</td>
<td>-2,000</td>
<td>242,374</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>4</td>
<td>06011051DBZ</td>
<td>Force Health Protection</td>
<td>26,952</td>
<td>26,952</td>
<td>26,952</td>
<td></td>
<td></td>
<td>26,952</td>
</tr>
<tr>
<td>5</td>
<td>06011081DBZ</td>
<td>High Energy Laser Research Initiatives</td>
<td>11,877</td>
<td>11,877</td>
<td>11,877</td>
<td></td>
<td></td>
<td>11,877</td>
</tr>
<tr>
<td>6</td>
<td>06011111DBZ</td>
<td>Government/Industry Cosponsorship of University Research</td>
<td>3,421</td>
<td>3,421</td>
<td>3,421</td>
<td></td>
<td></td>
<td>3,421</td>
</tr>
<tr>
<td>7</td>
<td>06011141DBZ</td>
<td>Defense Experimental Program to Stimulate Competitive Research</td>
<td>9,901</td>
<td>9,901</td>
<td>9,901</td>
<td></td>
<td></td>
<td>9,901</td>
</tr>
<tr>
<td>8</td>
<td>06013801P</td>
<td>Chemical and Biological Defense Program</td>
<td>39,066</td>
<td>41,066</td>
<td>39,066</td>
<td></td>
<td></td>
<td>39,066</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>9</td>
<td>06022101E</td>
<td>Next Generation Internet</td>
<td>14,660</td>
<td>19,660</td>
<td>14,660</td>
<td>3,000</td>
<td></td>
<td>17,660</td>
</tr>
<tr>
<td>10</td>
<td>06021730C</td>
<td>Support Technologies - Applied Research</td>
<td>14,484</td>
<td>14,484</td>
<td>14,484</td>
<td></td>
<td></td>
<td>14,484</td>
</tr>
<tr>
<td>11</td>
<td>06022271DBZ</td>
<td>Medical Free Electron Laser</td>
<td>21,769</td>
<td>21,969</td>
<td>21,969</td>
<td></td>
<td></td>
<td>21,969</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Medical free electron laser (MFEL)</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>12</td>
<td>06022281DBZ</td>
<td>Historically Black Colleges and Universities (HBCU) Science</td>
<td>382,294</td>
<td>312,294</td>
<td>382,294</td>
<td></td>
<td></td>
<td>380,294</td>
</tr>
<tr>
<td>13</td>
<td>0602234048Z</td>
<td>Lincoln Laboratory Research Program</td>
<td>70,561</td>
<td>70,561</td>
<td>70,561</td>
<td></td>
<td></td>
<td>70,561</td>
</tr>
<tr>
<td>14</td>
<td>06023011E</td>
<td>Computing Systems and Communications Technology</td>
<td>14,484</td>
<td>14,484</td>
<td>14,484</td>
<td></td>
<td></td>
<td>14,484</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Reduction to Support Higher Transformation Priorities</td>
<td>5,000</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>5,000</td>
</tr>
<tr>
<td>15</td>
<td>06023021E</td>
<td>Embedded Software and Pervasive Computing</td>
<td>70,561</td>
<td>70,561</td>
<td>70,561</td>
<td></td>
<td></td>
<td>70,561</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Reduction to Support Higher Transformation Priorities</td>
<td>5,000</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>5,000</td>
</tr>
</tbody>
</table>
### Title II - RDT and E

(Dollars in Thousands)

<table>
<thead>
<tr>
<th>Line No.</th>
<th>Program Element</th>
<th>Program Title</th>
<th>FY2002 Request</th>
<th>House Authorized</th>
<th>Senate Authorized</th>
<th>Conference Agreement Change</th>
<th>Authorized</th>
</tr>
</thead>
<tbody>
<tr>
<td>16</td>
<td>0602381E</td>
<td>Biological Warfare Defense</td>
<td>140,080</td>
<td>150,080</td>
<td>140,080</td>
<td>3,000</td>
<td>143,080</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Asymmetric Protocols for Biological Defense</td>
<td></td>
<td>[10,000]</td>
<td></td>
<td>[3,000]</td>
<td></td>
</tr>
<tr>
<td>17</td>
<td>0602384HP</td>
<td>Chemical and Biological Defense Program</td>
<td>125,481</td>
<td>109,481</td>
<td>132,981</td>
<td>5,500</td>
<td>130,981</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Chem Bio Regenerative Air Filtration System</td>
<td></td>
<td>[4,000]</td>
<td>[2,000]</td>
<td>[1,000]</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Mustard Gas Antidote</td>
<td></td>
<td>[1,000]</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>WMD Response Planning Models</td>
<td></td>
<td>[1,000]</td>
<td>[1,000]</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Bioinformatics Program</td>
<td></td>
<td>[1,500]</td>
<td>[1,500]</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Fluorescence-based Chem Bio Point Detectors</td>
<td></td>
<td>[2,000]</td>
<td>[2,000]</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Reduction to Support Higher Transformation Priorities</td>
<td>[-20,000]</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>18</td>
<td>0602702E</td>
<td>Tactical Technology</td>
<td>173,885</td>
<td>164,885</td>
<td>173,885</td>
<td>(6,000)</td>
<td>167,885</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Reduction to Support Higher Transformation Priorities</td>
<td>[-9,000]</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>19</td>
<td>0602703E</td>
<td>Integrated Command and Control Technology</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>20</td>
<td>0602712E</td>
<td>Materials and Electronics Technology</td>
<td>358,254</td>
<td>349,754</td>
<td>364,754</td>
<td>2,750</td>
<td>361,004</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Detection and Destruction of CW - Nanotechnology</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Fabrication of 3D Structures</td>
<td></td>
<td>[1,500]</td>
<td>[1,000]</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Nanomaterials for Frequency Tunable Devices</td>
<td></td>
<td>[2,000]</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Materials and Electronics Technology</td>
<td></td>
<td>[3,000]</td>
<td>[1,750]</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Exoskeleton Project</td>
<td>[9,500]</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Reduction to Support Higher Transformation Priorities</td>
<td>[-4,000]</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>High frequency / high power wide bandgap semiconductor electronics technology (Fence - Non add)</td>
<td>[41,000]</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Line No.</td>
<td>Program Element</td>
<td>Program Title</td>
<td>FY 2002 Request</td>
<td>House Authorized</td>
<td>Senate Authorized</td>
<td>Conference Agreement Change</td>
<td>Authorized</td>
</tr>
<tr>
<td>---------</td>
<td>-----------------</td>
<td>---------------</td>
<td>-----------------</td>
<td>------------------</td>
<td>------------------</td>
<td>-----------------------------</td>
<td>------------</td>
</tr>
<tr>
<td>21</td>
<td>0602715HR</td>
<td>Nuclear Sustainment &amp; Counterproliferation Technologies</td>
<td>295,132</td>
<td>265,132</td>
<td>298,132</td>
<td>6,000</td>
<td>301,132</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Thermobaric Warhead Development</td>
<td></td>
<td>5,000</td>
<td></td>
<td>[4,000]</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Reduction to Support Higher Transformation Priorities</td>
<td></td>
<td>[3,000]</td>
<td></td>
<td>[2,000]</td>
<td></td>
</tr>
<tr>
<td>22</td>
<td>0602787D8Z</td>
<td>Medical Technology</td>
<td>8,971</td>
<td>8,971</td>
<td></td>
<td></td>
<td>8,971</td>
</tr>
<tr>
<td>23</td>
<td>0602890D8Z</td>
<td>High Energy Laser Research</td>
<td>36,005</td>
<td>36,005</td>
<td>36,005</td>
<td></td>
<td>36,005</td>
</tr>
<tr>
<td>24</td>
<td>0303108K</td>
<td>Command and Control Research</td>
<td>2,086</td>
<td>2,086</td>
<td>2,086</td>
<td></td>
<td>2,086</td>
</tr>
<tr>
<td>25</td>
<td>06031002D8Z</td>
<td>Medical Advanced Technology</td>
<td>8,815</td>
<td>13,815</td>
<td>8,815</td>
<td></td>
<td>8,815</td>
</tr>
<tr>
<td>26</td>
<td>0603110HD8Z</td>
<td>Explosives Demilitarization Technology</td>
<td>8,799</td>
<td>8,799</td>
<td></td>
<td></td>
<td>8,799</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Tactical Missile Recycling</td>
<td></td>
<td>[5,000]</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>27</td>
<td>0603121D8Z</td>
<td>SOLIC Advanced Development</td>
<td>42,243</td>
<td>52,243</td>
<td>67,243</td>
<td>16,500</td>
<td>58,743</td>
</tr>
<tr>
<td>28</td>
<td>0603122D8Z</td>
<td>Combating Terrorism Technology Support</td>
<td></td>
<td>2,000</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Facial Recognition Technology</td>
<td></td>
<td></td>
<td>[3,000]</td>
<td>1,000</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Acrogele Chem Bio Detectors</td>
<td></td>
<td></td>
<td>[7,000]</td>
<td>1,500</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Blast Mitigation Testing</td>
<td></td>
<td></td>
<td>[2,000]</td>
<td>2,000</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Device Pre-Detonation Technologies</td>
<td></td>
<td></td>
<td>[8,000]</td>
<td>[5,000]</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Electrostatic Decontamination System</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Standoff Detection of Explosives</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>29</td>
<td>0603160HR</td>
<td>Counterproliferation Advanced Development Technologies</td>
<td>89,772</td>
<td>92,772</td>
<td>89,772</td>
<td></td>
<td>89,772</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Counterproliferation Analysis &amp; Planning System (CAPS)</td>
<td></td>
<td>3,000</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>CAPS (Fence - Non-add)</td>
<td></td>
<td></td>
<td>[9,000]</td>
<td></td>
<td></td>
</tr>
<tr>
<td>30</td>
<td>0603173C</td>
<td>Support Technologies - Advanced Technology Development</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
### Title II - RDT and E

(Dollars in Thousands)

<table>
<thead>
<tr>
<th>Line No.</th>
<th>Program Element</th>
<th>Program Title</th>
<th>FY2002 Request</th>
<th>House Authorized</th>
<th>Senate Authorized</th>
<th>Conference Agreement Change</th>
<th>Authorized</th>
</tr>
</thead>
<tbody>
<tr>
<td>31</td>
<td>06031724C</td>
<td>Space Based Laser (SBL)</td>
<td>112,890</td>
<td>112,890</td>
<td>112,890</td>
<td>112,890</td>
<td></td>
</tr>
<tr>
<td>32</td>
<td>0603175C</td>
<td>Ballistic Missile Defense Technology</td>
<td>19,178</td>
<td>19,178</td>
<td>19,178</td>
<td>19,178</td>
<td></td>
</tr>
<tr>
<td>33</td>
<td>060312519BZ</td>
<td>Joint DoD DoD: Munitions Technology Development</td>
<td>7,716</td>
<td>7,716</td>
<td>7,716</td>
<td>7,716</td>
<td></td>
</tr>
<tr>
<td>34</td>
<td>06031219BZ</td>
<td>Automatic Target Recognition</td>
<td>153,200</td>
<td>128,700</td>
<td>162,700</td>
<td>6,231</td>
<td>159,931</td>
</tr>
<tr>
<td>35</td>
<td>06031285E</td>
<td>Advanced Aerospace Systems</td>
<td>Reduction to Support Higher Transformation Priorities</td>
<td>[25,000]</td>
<td>[9,000]</td>
<td>[6,231]</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Accelerate Navy Version of UAV</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>36</td>
<td>06031384HP</td>
<td>Chemical and Biological Defense Program - Advanced Development</td>
<td>69,249</td>
<td>59,249</td>
<td>76,249</td>
<td>5,000</td>
<td>74,249</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Reduction to Support Higher Transformation Priorities</td>
<td>[10,000]</td>
<td>[7,000]</td>
<td>[5,000]</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Safeguard</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>37</td>
<td>06031704D8Z</td>
<td>Special Technical Support</td>
<td>11,019</td>
<td>21,019</td>
<td>13,019</td>
<td>2,000</td>
<td>13,019</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Complex Systems Design</td>
<td></td>
<td>[10,000]</td>
<td>[2,000]</td>
<td>[2,000]</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Complex Systems Design (MULTIVIEW)</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>38</td>
<td>06031711BR</td>
<td>Arms Control Technology</td>
<td>52,474</td>
<td>52,474</td>
<td>52,474</td>
<td>52,474</td>
<td></td>
</tr>
<tr>
<td>39</td>
<td>06031712S</td>
<td>Generic Logistics R&amp;D Technology Demonstrations</td>
<td>30,373</td>
<td>30,373</td>
<td>32,373</td>
<td>1,731</td>
<td>32,104</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Competitiveness Sustainment Initiative</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>40</td>
<td>06031716D8Z</td>
<td>Strategic Environmental Research Program</td>
<td>69,376</td>
<td>39,376</td>
<td>69,376</td>
<td>69,376</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Reduction to Support Higher Transformation Priorities</td>
<td>[30,000]</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>41</td>
<td>06031727D8Z</td>
<td>Joint Warfighting Program</td>
<td>7,613</td>
<td>7,613</td>
<td>7,613</td>
<td>7,613</td>
<td></td>
</tr>
<tr>
<td>42</td>
<td>06031728D8Z</td>
<td>Agile Port Demonstration</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>43</td>
<td>06031738D8Z</td>
<td>Cooperative DoD/VA Medical Research</td>
<td>5,000</td>
<td>2,500</td>
<td>2,500</td>
<td>2,500</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Implantable Cardioverter Defibrillator</td>
<td>[5,000]</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

December 12, 2001
<table>
<thead>
<tr>
<th>Line</th>
<th>Program Element</th>
<th>Program Title</th>
<th>FY2002 Request</th>
<th>House Authorized</th>
<th>Senate Authorized</th>
<th>Conference Agreement Change</th>
<th>Authorized</th>
</tr>
</thead>
<tbody>
<tr>
<td>44</td>
<td>0603719E</td>
<td>Advanced Electronics Technologies</td>
<td>169,264</td>
<td>177,264</td>
<td>177,264</td>
<td></td>
<td>177,264</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Reduction to Support Higher Transformation Priorities</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>45</td>
<td>0603750H8Z</td>
<td>Advanced Concept Technology Demonstrations</td>
<td>128,917</td>
<td>148,917</td>
<td>148,917</td>
<td></td>
<td>148,917</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Reduction to Support Higher Transformation Priorities</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>46</td>
<td>0603755H8Z</td>
<td>High Performance Computing Modernization Program</td>
<td>188,376</td>
<td>168,376</td>
<td>188,376</td>
<td></td>
<td>188,376</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Reduction to Support Higher Transformation Priorities</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Sensor and Guidance Technology</td>
<td>203,095</td>
<td>199,095</td>
<td>203,095</td>
<td></td>
<td>203,095</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Reduction to Support Higher Transformation Priorities</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>49</td>
<td>0603763E</td>
<td>Marine Technology</td>
<td>41,497</td>
<td>41,497</td>
<td>41,497</td>
<td></td>
<td>41,497</td>
</tr>
<tr>
<td>50</td>
<td>0603764E</td>
<td>Land Warfare Technology</td>
<td>153,067</td>
<td>153,067</td>
<td>164,067</td>
<td></td>
<td>153,067</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Unmanned Ground Combat Vehicles (FCS)</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>51</td>
<td>0603765E</td>
<td>Classified DARPA Programs</td>
<td>142,395</td>
<td>137,395</td>
<td>142,395</td>
<td></td>
<td>142,395</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Reduction to Support Higher Transformation Priorities</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>52</td>
<td>0603781H8Z</td>
<td>Software Engineering Institute</td>
<td>21,091</td>
<td>21,091</td>
<td>21,091</td>
<td></td>
<td>21,091</td>
</tr>
<tr>
<td>53</td>
<td>0603805S</td>
<td>Dual Use Application Programs</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>54</td>
<td>0603826H8Z</td>
<td>Quick Reaction Projects</td>
<td>25,000</td>
<td>66,000</td>
<td>25,000</td>
<td></td>
<td>25,000</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Defense Innovative Technology Challenge Program</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Quick Reaction Projects Increase</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>55</td>
<td>0603832H8Z</td>
<td>Joint Wargaming Simulation Management Office</td>
<td>45,065</td>
<td>45,065</td>
<td>45,065</td>
<td></td>
<td>45,065</td>
</tr>
<tr>
<td>56</td>
<td>0603924H8Z</td>
<td>High Energy Laser Advanced Technology Program</td>
<td>16,005</td>
<td>16,005</td>
<td>16,005</td>
<td></td>
<td>16,005</td>
</tr>
<tr>
<td>57</td>
<td>0605163H8Z</td>
<td>Counterproliferation Support</td>
<td>1,781</td>
<td>1,781</td>
<td>1,781</td>
<td></td>
<td>1,781</td>
</tr>
</tbody>
</table>
## Title II - RDT and E
(Dollars in Thousands)

<table>
<thead>
<tr>
<th>Line No.</th>
<th>Program No.</th>
<th>Program/Title</th>
<th>FY2002 Request</th>
<th>House Authorized</th>
<th>Senate Authorized</th>
<th>Change</th>
<th>Conference Agreement Authorized</th>
</tr>
</thead>
<tbody>
<tr>
<td>58</td>
<td>06031312G</td>
<td>Global Grid Communications</td>
<td>[ ]</td>
<td>[ ]</td>
<td>[ ]</td>
<td>[ ]</td>
<td>[ ]</td>
</tr>
<tr>
<td>59</td>
<td>06032281D8Z</td>
<td>Physical Security Equipment: Backscatter Mobile Truck System</td>
<td>33,543</td>
<td>49,543</td>
<td>33,543</td>
<td>6,000</td>
<td>39,543</td>
</tr>
<tr>
<td>60</td>
<td>06037091D8Z</td>
<td>Joint Robotics Program</td>
<td>11,302</td>
<td>11,302</td>
<td>11,302</td>
<td>[6,000]</td>
<td>[6,000]</td>
</tr>
<tr>
<td>61</td>
<td>06037114D8Z</td>
<td>Advanced Sensor Applications Program</td>
<td>15,780</td>
<td>15,780</td>
<td>15,780</td>
<td>[15,780]</td>
<td>[15,780]</td>
</tr>
<tr>
<td>62</td>
<td>06037361D8Z</td>
<td>CALS Initiative</td>
<td>1,614</td>
<td>1,614</td>
<td>1,614</td>
<td>[1,614]</td>
<td>[1,614]</td>
</tr>
<tr>
<td>63</td>
<td>06038511D8Z</td>
<td>Environmental Security Technical Certification Program</td>
<td>25,314</td>
<td>22,314</td>
<td>30,314</td>
<td>5,000</td>
<td>[5,000]</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Decrease</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>64</td>
<td>06038611C</td>
<td>Theater High Altitude Area Defense System - TMD - Dem/Val</td>
<td>[3,000]</td>
<td>[3,000]</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>65</td>
<td>06038681C</td>
<td>Navy Theater Wide Missile Defense System</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>66</td>
<td>06038691C</td>
<td>Meads Concepts - Dem/Val</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>67</td>
<td>06038701C</td>
<td>Boost Phase Intercept Theater Missile Defense Acquisition - Dem/Val</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>68</td>
<td>06038711C</td>
<td>National Missile Defense - Dem/Val</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>69</td>
<td>06038721C</td>
<td>Joint Theater Missile Defense - Dem/Val</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>70</td>
<td>06038731C</td>
<td>Family of Systems Engineering and Integration (FoS E&amp;I)</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>71</td>
<td>06038741C</td>
<td>BMD Technical Operations</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>72</td>
<td>06038751C</td>
<td>International Cooperative Programs</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>73</td>
<td>06038761C</td>
<td>Threat and Countermeasures</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
### Title II - RDT and E

(Dollars in Thousands)

<table>
<thead>
<tr>
<th>Line No.</th>
<th>Program No.</th>
<th>Program Title</th>
<th>FY2002 Request</th>
<th>House Authorized</th>
<th>Senate Authorized</th>
<th>Conference Agreement Change</th>
<th>Authorized</th>
</tr>
</thead>
<tbody>
<tr>
<td>74</td>
<td>0603880C</td>
<td>Ballistic Missile Defense System Segment</td>
<td>779,584</td>
<td>754,584</td>
<td>575,584</td>
<td>779,584</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Systems Integration &amp; Engineering</td>
<td></td>
<td>-25,000</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>BMDO-wide Systems Engineering &amp; Architecture</td>
<td></td>
<td>-33,000</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>BMDO-wide Modeling &amp; Simulation</td>
<td></td>
<td>-49,000</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>BMDO-wide Test Support</td>
<td></td>
<td>-55,000</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Program-wide Test &amp; Evaluation</td>
<td></td>
<td>-67,000</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Atmospheric Intercept Technology (AIT) (Fence--Non-add)</td>
<td></td>
<td>[10,000]</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>75</td>
<td>0603881C</td>
<td>Ballistic Missile Defense Terminal Defense Segment</td>
<td>988,180</td>
<td>1,577,421</td>
<td>840,242</td>
<td>622,241</td>
<td>1,610,421</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Transfer from PE: 61869A (RDA 74) for MEADS Concepts</td>
<td></td>
<td>[73,645]</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Transfer from PE: 64865A (RDA 124) for Patriot PAC 3 Theater Missile Defense Acquisition</td>
<td></td>
<td>[107,100]</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Transfer from PE: 64235N (RDN 104) for Navy Area Missile Defense</td>
<td></td>
<td>[388,496]</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Navy Area Missile Defense - Cost Overruns &amp; Schedule Slips</td>
<td></td>
<td>[-10,000]</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Ground-based Terminal</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>THAAD</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Arrow System Improvement Program (ASIP) Increase</td>
<td></td>
<td>[30,000]</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Arrow</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>ASIP &amp; Joint Interoperability Efforts</td>
<td></td>
<td>[53,000]</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Sea-based Terminal</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Program Operations</td>
<td></td>
<td>[13,938]</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
### Title II - RDT and E

(Dollars in Thousands)

<table>
<thead>
<tr>
<th>Line No.</th>
<th>Program Element</th>
<th>Program Title</th>
<th>FY2002 Request</th>
<th>House Authorized</th>
<th>Senate Authorized</th>
<th>Change</th>
<th>Conference Agreement Authorized</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td>Ground-based Midcourse</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Block 2006 Ground-based Midcourse System</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>2004 Testbed Testing</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Sea based Midcourse</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Navy Theater Wide</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Interceptors for Contingency Deployment</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Concept Definition</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Radar Risk Reduction Effort</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>AEGIS LEAP Interceptor Testing</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Decrease Midcourse Defense Segment</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Thermionic Technology (Fence--Non-add)</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Magdalena Ridge Observatory (Fence--Non-add)</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Short Range Missile Defense - Optimal Radar Distribution (SWORD) (Fence--Non-add)</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Tactical High Energy Laser (THEL) (Fence--Non-add)</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Software Defined Radio (Fence--Non-add)</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Patriot Ground Equipment (Fence--Non-add)</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Aerostat Design &amp; Manufacturing (ADAM) for CMD (Fence--Non-add)</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>SMDC Advanced Research Center (Fence--Non-add)</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Space and Missile Defense Battelab (Fence--Non-add)</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Airborne IR Surv System (AIRS) (Fence--Non-add)</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Excalibur/Scorpius Liquid Fueled Target (Fence--Non-add)</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Line No.</td>
<td>Program Element</td>
<td>Program Title</td>
<td>FY 2002 Request</td>
<td>House Authorized</td>
<td>Senate Authorized</td>
<td>Conference Change</td>
<td>Authorized</td>
</tr>
<tr>
<td>---------</td>
<td>-----------------</td>
<td>---------------</td>
<td>-----------------</td>
<td>------------------</td>
<td>-------------------</td>
<td>-------------------</td>
<td>------------</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Sea-based Boost Segment</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Air-based Boost Segment</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Airborne Laser</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Long Lead Optics for Full Power ABL</td>
<td>[-10,000]</td>
<td>[-10,000]</td>
<td>[-10,000]</td>
<td>[-70,000]</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Long Lead Materials for Full Power ABL</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Space Parts &amp; Support Excess to FY 03 Test Program Needs</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Space-based Boost Segment</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Space-based Laser</td>
<td>[-28,000]</td>
<td>[-28,000]</td>
<td>[-15,000]</td>
<td>[-120,000]</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Space-based Kinetic Kill</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Program Operations</td>
<td>[-2,000]</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Decrease to Boost Defense Segment for Space-related Activities</td>
<td>[-120,000]</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>78</td>
<td>0603884H</td>
<td>Chemical and Biological Defense Program - Dem/Val</td>
<td>82,636</td>
<td>104,636</td>
<td>82,636</td>
<td>5,000</td>
<td>87,646</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Chemical &amp; Biological Mass Spectrometer</td>
<td>[10,000]</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Mobile Chemical Agent Detector (MCAD)</td>
<td>[9,000]</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>79</td>
<td>0603884C</td>
<td>Ballistic Missile Defense Sensors</td>
<td>495,600</td>
<td>470,600</td>
<td>398,998</td>
<td>495,600</td>
<td>[-25,000]</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Space Sensors</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>[96,602]</td>
</tr>
<tr>
<td></td>
<td></td>
<td>SHIRS Low</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Significant Program Growth</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Concept Definition Contract Extension</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
### Title II - RDT and E

(Dollars in Thousands)

<table>
<thead>
<tr>
<th>Line No.</th>
<th>Program Element</th>
<th>Program Title</th>
<th>FY2002 Request</th>
<th>House Authorized</th>
<th>Senate Authorized</th>
<th>Conference Agreement Change</th>
<th>Authorized</th>
</tr>
</thead>
<tbody>
<tr>
<td>80</td>
<td>0603892D8Z</td>
<td>ASAT</td>
<td></td>
<td>13,512</td>
<td>13,512</td>
<td></td>
<td>13,512</td>
</tr>
<tr>
<td>81</td>
<td>0603920D8Z</td>
<td>Humanitarian Demining</td>
<td></td>
<td>13,512</td>
<td>13,512</td>
<td></td>
<td>13,512</td>
</tr>
<tr>
<td>82</td>
<td>0603923D8Z</td>
<td>Coalition Warfare</td>
<td>12,943</td>
<td>9,943</td>
<td>12,943</td>
<td></td>
<td>12,943</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Reduction to Support Higher Transformation Priorities</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>83</td>
<td>0604722D8Z</td>
<td>Joint Service Education and Training Systems Development</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>84</td>
<td>0901585C</td>
<td>Pentagon Reservation</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>85</td>
<td>0604138HBP</td>
<td>Chemical and Biological Defense Program - EMD</td>
<td>159,943</td>
<td>159,943</td>
<td>159,943</td>
<td>159,943</td>
<td>159,943</td>
</tr>
<tr>
<td>86</td>
<td>0604170D8Z</td>
<td>Joint Robotics Program - EMD</td>
<td>13,197</td>
<td>13,197</td>
<td>13,197</td>
<td>13,197</td>
<td>13,197</td>
</tr>
<tr>
<td>87</td>
<td>0604764K</td>
<td>Advanced IT Services Joint Program Office (AITS-JPO)</td>
<td>14,254</td>
<td>14,254</td>
<td>14,254</td>
<td>14,254</td>
<td>14,254</td>
</tr>
<tr>
<td>88</td>
<td>0604771D8Z</td>
<td>Joint Tactical Information Distribution System (JTIDS)</td>
<td>16,572</td>
<td>16,572</td>
<td>16,572</td>
<td>16,572</td>
<td>16,572</td>
</tr>
<tr>
<td>89</td>
<td>0604805D8Z</td>
<td>Commercial Operations and Support Savings Initiative</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>90</td>
<td>0604861C</td>
<td>Theater High-Altitude Area Defense System - TMD - EMD</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>91</td>
<td>0604865C</td>
<td>Patriot PAC-3 Theater Missile Defense Acquisition - EMD</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>92</td>
<td>0604867C</td>
<td>Navy Area Theater Missile Defense - EMD</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>93</td>
<td>0605013HJL</td>
<td>Information Technology Development</td>
<td>2,469</td>
<td>2,469</td>
<td>2,469</td>
<td>2,469</td>
<td>2,469</td>
</tr>
<tr>
<td>94</td>
<td>0605013D8Z</td>
<td>Information Technology Development</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>95</td>
<td>0605014S</td>
<td>Information Technology Development (DHRA)</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>96</td>
<td>0605014SF</td>
<td>Information Technology Development</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>97</td>
<td>0605015HL</td>
<td>Information Technology Development-Standard Procurement System (SPS)</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>98</td>
<td>0605016D8Z</td>
<td>Financial Management Modernization Program</td>
<td>9,747</td>
<td>9,747</td>
<td>9,747</td>
<td>9,747</td>
<td>9,747</td>
</tr>
<tr>
<td>100</td>
<td>0303140K</td>
<td>Information Systems Security Program</td>
<td>11,767</td>
<td>11,767</td>
<td>11,767</td>
<td>11,767</td>
<td>11,767</td>
</tr>
</tbody>
</table>
## Title II - RDT and E
(Dollars in Thousands)

<table>
<thead>
<tr>
<th>Line No.</th>
<th>Program No.</th>
<th>Program Element</th>
<th>Program Title</th>
<th>FY2002 Request</th>
<th>House Authorized</th>
<th>Senate Authorized</th>
<th>Conference Change</th>
<th>Conference Authorized</th>
</tr>
</thead>
<tbody>
<tr>
<td>101</td>
<td>0301141K</td>
<td>Global Combat Support System</td>
<td></td>
<td>16,483</td>
<td>16,483</td>
<td>16,483</td>
<td></td>
<td>16,483</td>
</tr>
<tr>
<td>102</td>
<td>0305840K</td>
<td>Electronic Commerce</td>
<td></td>
<td>25,519</td>
<td>25,519</td>
<td>25,519</td>
<td></td>
<td>25,519</td>
</tr>
<tr>
<td>103</td>
<td>0603858D8Z</td>
<td>Unexploded Ordnance Detection and Clearance</td>
<td></td>
<td>1,165</td>
<td>1,165</td>
<td>1,165</td>
<td></td>
<td>1,165</td>
</tr>
<tr>
<td>104</td>
<td>0604943D8Z</td>
<td>Thermal Vicar</td>
<td></td>
<td>5,952</td>
<td>5,952</td>
<td>5,952</td>
<td></td>
<td>5,952</td>
</tr>
<tr>
<td>105</td>
<td>0605104D8Z</td>
<td>Technical Studies, Support and Analysis</td>
<td></td>
<td>33,805</td>
<td>31,805</td>
<td>31,405</td>
<td>(2,000)</td>
<td>31,805</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Joint Technology Applications Analysis Pilot Program</td>
<td></td>
<td>[1,000]</td>
<td>[1,000]</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Reduction to Support Higher Transformation Priorities</td>
<td></td>
<td>[-3,000]</td>
<td>[-3,000]</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Offset for M291 Skin Decontamination Kits</td>
<td></td>
<td></td>
<td>[-2,400]</td>
<td></td>
<td></td>
</tr>
<tr>
<td>106</td>
<td>0605110HB</td>
<td>Critical Technology Support</td>
<td></td>
<td>3,313</td>
<td>3,313</td>
<td>3,313</td>
<td></td>
<td>3,313</td>
</tr>
<tr>
<td>107</td>
<td>0605114E</td>
<td>BLACK LIGHT</td>
<td></td>
<td>5,000</td>
<td>5,000</td>
<td>5,000</td>
<td></td>
<td>5,000</td>
</tr>
<tr>
<td>108</td>
<td>0605116D8Z</td>
<td>General Support to C3I</td>
<td></td>
<td>21,061</td>
<td>16,061</td>
<td>21,061</td>
<td></td>
<td>21,061</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Reduction to Support Higher Transformation Priorities</td>
<td></td>
<td>[-5,000]</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Transfer from PE 657110D8Z (RDDW 119) (Fence--Non-add)</td>
<td></td>
<td></td>
<td>[8,000]</td>
<td></td>
<td></td>
</tr>
<tr>
<td>109</td>
<td>0605117D8Z</td>
<td>Foreign Materiel Acquisition and Exploitation</td>
<td></td>
<td>31,951</td>
<td>31,951</td>
<td>31,951</td>
<td></td>
<td>31,951</td>
</tr>
<tr>
<td>110</td>
<td>0605123D8Z</td>
<td>Intergency Export License Automation</td>
<td></td>
<td>10,559</td>
<td>10,559</td>
<td>10,559</td>
<td></td>
<td>10,559</td>
</tr>
<tr>
<td>111</td>
<td>0605124D8Z</td>
<td>Defense Travel System</td>
<td></td>
<td>29,955</td>
<td>19,955</td>
<td>29,955</td>
<td></td>
<td>29,955</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Reduction to Support Higher Transformation Priorities</td>
<td></td>
<td>[-10,000]</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>112</td>
<td>06051261</td>
<td>Joint Theater Air and Missile Defense Organization</td>
<td></td>
<td>26,865</td>
<td>26,865</td>
<td>26,865</td>
<td></td>
<td>26,865</td>
</tr>
<tr>
<td>113</td>
<td>0605128D8Z</td>
<td>Classified Program USD(P)</td>
<td></td>
<td>30,907</td>
<td>30,907</td>
<td>30,907</td>
<td></td>
<td>30,907</td>
</tr>
<tr>
<td>114</td>
<td>0605130D8Z</td>
<td>Foreign Comparative Testing</td>
<td></td>
<td>30,907</td>
<td>30,907</td>
<td>30,907</td>
<td></td>
<td>30,907</td>
</tr>
<tr>
<td>115</td>
<td>0605160HR</td>
<td>Countproliferation Support</td>
<td></td>
<td>31,276</td>
<td>31,276</td>
<td>31,276</td>
<td></td>
<td>31,276</td>
</tr>
<tr>
<td>116</td>
<td>0605384HP</td>
<td>Chemical and Biological Defense Program</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
### Title II - RDT and E

(Dollars in Thousands)

<table>
<thead>
<tr>
<th>Line No.</th>
<th>Program Element</th>
<th>Program Title</th>
<th>FY2002 Request</th>
<th>House Authorized</th>
<th>Senate Authorized</th>
<th>Change</th>
<th>Conference Agreement Authorized</th>
</tr>
</thead>
<tbody>
<tr>
<td>117</td>
<td>0605502D8Z</td>
<td>Small Business Innovative Research</td>
<td>56,653</td>
<td>56,653</td>
<td>16,653</td>
<td></td>
<td>56,653</td>
</tr>
<tr>
<td>118</td>
<td>0605502E</td>
<td>Small Business Innovative Research</td>
<td>56,653</td>
<td>56,653</td>
<td>16,653</td>
<td></td>
<td>56,653</td>
</tr>
<tr>
<td>119</td>
<td>0605710D8Z</td>
<td>Classified Programs - C3I</td>
<td>56,653</td>
<td>56,653</td>
<td>16,653</td>
<td></td>
<td>56,653</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Transfer to O&amp;M, DW -- Information Assurance Scholarship Program</td>
<td>56,653</td>
<td>56,653</td>
<td>16,653</td>
<td></td>
<td>56,653</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Transfer to O&amp;M, DW -- Other OSD Programs</td>
<td>56,653</td>
<td>56,653</td>
<td>16,653</td>
<td></td>
<td>56,653</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Transfer to P: 65116D8Z (RDW 108) -- General Support to C3I</td>
<td>56,653</td>
<td>56,653</td>
<td>16,653</td>
<td></td>
<td>56,653</td>
</tr>
<tr>
<td>120</td>
<td>0605790D8Z</td>
<td>Small Business Innovation Research/Challenge Administration</td>
<td>2,068</td>
<td>2,068</td>
<td>2,068</td>
<td></td>
<td>2,068</td>
</tr>
<tr>
<td>121</td>
<td>0605798S</td>
<td>Defense Technology Analysis</td>
<td>5,109</td>
<td>5,109</td>
<td>5,109</td>
<td></td>
<td>5,109</td>
</tr>
<tr>
<td>122</td>
<td>0605801K</td>
<td>Defense Technical Information Services (DTIC)</td>
<td>44,228</td>
<td>44,228</td>
<td>44,228</td>
<td></td>
<td>44,228</td>
</tr>
<tr>
<td>123</td>
<td>0605801S</td>
<td>R&amp;D in Support of DoD Enlistment, Testing and Evaluation</td>
<td>44,228</td>
<td>44,228</td>
<td>44,228</td>
<td></td>
<td>44,228</td>
</tr>
<tr>
<td>124</td>
<td>0605803S</td>
<td>R&amp;D in Support of DoD Enlistment, Testing and Evaluation</td>
<td>8,834</td>
<td>8,834</td>
<td>8,834</td>
<td></td>
<td>8,834</td>
</tr>
<tr>
<td>125</td>
<td>0605804D8Z</td>
<td>Development Test and Evaluation</td>
<td>46,382</td>
<td>46,382</td>
<td>46,382</td>
<td></td>
<td>46,382</td>
</tr>
<tr>
<td>126</td>
<td>0605809E</td>
<td>Management Headquarters (Research and Development) DARPA</td>
<td>36,937</td>
<td>36,937</td>
<td>36,937</td>
<td></td>
<td>36,937</td>
</tr>
<tr>
<td>127</td>
<td>0901585C</td>
<td>Pentagon Reservation</td>
<td>6,571</td>
<td>6,571</td>
<td>6,571</td>
<td></td>
<td>6,571</td>
</tr>
<tr>
<td>128</td>
<td>0901598C</td>
<td>Management Headquarters HMODO</td>
<td>27,758</td>
<td>27,758</td>
<td>27,758</td>
<td></td>
<td>27,758</td>
</tr>
<tr>
<td>129</td>
<td>0604805D8Z</td>
<td>Commercial Operations and Support Savings Initiative</td>
<td>10,805</td>
<td>10,805</td>
<td>10,805</td>
<td></td>
<td>10,805</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Reduction to Support Higher Transformation Priorities</td>
<td>10,805</td>
<td>10,805</td>
<td>10,805</td>
<td></td>
<td>10,805</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Aircraft Affordability Initiative (F2W Digital PIP)</td>
<td>17,000</td>
<td>17,000</td>
<td>17,000</td>
<td></td>
<td>17,000</td>
</tr>
<tr>
<td>130</td>
<td>0605127T</td>
<td>Partnership for Peace (PIP) Information Management System</td>
<td>1,922</td>
<td>1,922</td>
<td>1,922</td>
<td></td>
<td>1,922</td>
</tr>
<tr>
<td>131</td>
<td>0208045K</td>
<td>CH Interoperability</td>
<td>41,389</td>
<td>41,389</td>
<td>41,389</td>
<td></td>
<td>41,389</td>
</tr>
<tr>
<td>132</td>
<td>0208052J</td>
<td>Joint Analytical Model Improvement Program</td>
<td>12,163</td>
<td>12,163</td>
<td>12,163</td>
<td></td>
<td>12,163</td>
</tr>
<tr>
<td>133</td>
<td>0300205R</td>
<td>Information Technology Systems</td>
<td>550</td>
<td>550</td>
<td>550</td>
<td></td>
<td>550</td>
</tr>
</tbody>
</table>
## Title II - RDT and E

(Dollars in Thousands)

<table>
<thead>
<tr>
<th>Line No.</th>
<th>Program Element</th>
<th>Program Title</th>
<th>FY2002 Request</th>
<th>House Authorized</th>
<th>Senate Authorized</th>
<th>Conference Agreement Change</th>
<th>Authorized</th>
</tr>
</thead>
<tbody>
<tr>
<td>134</td>
<td>0301011G</td>
<td>Cryptologic Activities</td>
<td>[ ]</td>
<td>[ ]</td>
<td>[ ]</td>
<td>1,000</td>
<td>[ ]</td>
</tr>
<tr>
<td>135</td>
<td>0301301L</td>
<td>General Defense Intelligence Program</td>
<td>[ ]</td>
<td>[ ]</td>
<td>[ ]</td>
<td>[ ]</td>
<td>[ ]</td>
</tr>
<tr>
<td>136</td>
<td>0301398L</td>
<td>Management Headquarters GDIP, DIA</td>
<td>[ ]</td>
<td>[ ]</td>
<td>[ ]</td>
<td>[ ]</td>
<td>[ ]</td>
</tr>
<tr>
<td>137</td>
<td>0302016K</td>
<td>National Military Command System Wide Support</td>
<td>1,014</td>
<td>1,014</td>
<td>1,014</td>
<td>1,014</td>
<td>[ ]</td>
</tr>
<tr>
<td>138</td>
<td>0302019K</td>
<td>Defense Info Infrastructure Engineering and Integration</td>
<td>6,544</td>
<td>6,544</td>
<td>6,544</td>
<td>6,544</td>
<td>[ ]</td>
</tr>
<tr>
<td>139</td>
<td>0303126K</td>
<td>Long Haul Communications (DCS)</td>
<td>10,744</td>
<td>10,744</td>
<td>10,744</td>
<td>10,744</td>
<td>[ ]</td>
</tr>
<tr>
<td>140</td>
<td>0303127K</td>
<td>Support of the National Communications System</td>
<td>4,968</td>
<td>4,968</td>
<td>4,968</td>
<td>4,968</td>
<td>[ ]</td>
</tr>
<tr>
<td>141</td>
<td>0303131K</td>
<td>Minimum Essential Emergency Communications Network (MEECN)</td>
<td>6,988</td>
<td>6,988</td>
<td>6,988</td>
<td>6,988</td>
<td>[ ]</td>
</tr>
<tr>
<td>142</td>
<td>0303140G</td>
<td>Information Systems Security Program</td>
<td>414,844</td>
<td>414,844</td>
<td>414,844</td>
<td>414,844</td>
<td>[ ]</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Regional Pilot Program for Infrastructure Protection (Fence--Non-add)</td>
<td>[ ]</td>
<td>[ ]</td>
<td>[ ]</td>
<td>[ ]</td>
<td>[5,000]</td>
</tr>
<tr>
<td>143</td>
<td>0303149J</td>
<td>C4I for the Warrior</td>
<td>9,622</td>
<td>9,622</td>
<td>9,622</td>
<td>9,622</td>
<td>[ ]</td>
</tr>
<tr>
<td>144</td>
<td>0303149K</td>
<td>C4I for the Warrior</td>
<td>8,849</td>
<td>8,849</td>
<td>8,849</td>
<td>8,849</td>
<td>[ ]</td>
</tr>
<tr>
<td>145</td>
<td>0303153K</td>
<td>Joint Spectrum Center</td>
<td>14,371</td>
<td>14,371</td>
<td>14,371</td>
<td>14,371</td>
<td>[ ]</td>
</tr>
<tr>
<td>146</td>
<td>0303610K</td>
<td>Teleport Program</td>
<td>4,422</td>
<td>4,422</td>
<td>4,422</td>
<td>4,422</td>
<td>[ ]</td>
</tr>
<tr>
<td>147</td>
<td>0304210B</td>
<td>Special Reconnaissance Capabilities (SRC) Program</td>
<td>[ ]</td>
<td>[ ]</td>
<td>[ ]</td>
<td>[ ]</td>
<td>[ ]</td>
</tr>
<tr>
<td>148</td>
<td>0304345I</td>
<td>National Imagery and Mapping Program</td>
<td>[ ]</td>
<td>[ ]</td>
<td>[ ]</td>
<td>[ ]</td>
<td>[ ]</td>
</tr>
<tr>
<td>149</td>
<td>0305102B</td>
<td>Defense Imagery and Mapping Program</td>
<td>115,209</td>
<td>139,409</td>
<td>119,209</td>
<td>16,000</td>
<td>131,209</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Commercial Joint Mapping &amp; Visualization Tool Kit</td>
<td>[ ]</td>
<td>[ ]</td>
<td>[ ]</td>
<td>[ ]</td>
<td>[ ]</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Geographic Synthetic Aperture Radar (GeoSAR) Airborne Mapping System</td>
<td>[ ]</td>
<td>[ ]</td>
<td>[ ]</td>
<td>[ ]</td>
<td>[ ]</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Broadcast-request Imagery Technology Development (BRITE)</td>
<td>[ ]</td>
<td>[ ]</td>
<td>[ ]</td>
<td>[ ]</td>
<td>[ ]</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Intelligence Spatial Technologies for Smart Maps</td>
<td>[ ]</td>
<td>[ ]</td>
<td>[ ]</td>
<td>[ ]</td>
<td>[ ]</td>
</tr>
<tr>
<td>150</td>
<td>0305127V</td>
<td>Foreign Counterintelligence Activities</td>
<td>664</td>
<td>664</td>
<td>664</td>
<td>664</td>
<td>664</td>
</tr>
</tbody>
</table>
Title II - RDT and E  
(Dollars in Thousands)  

<table>
<thead>
<tr>
<th>Line No.</th>
<th>Program No.</th>
<th>Program Title</th>
<th>FY2002 Request</th>
<th>House Authorized</th>
<th>Senate Authorized</th>
<th>Conference Agreement Change</th>
<th>Authorized</th>
</tr>
</thead>
<tbody>
<tr>
<td>151</td>
<td>03051461D8Z</td>
<td>Defense Joint Counterintelligence Program (JMIP)</td>
<td>5,977</td>
<td>5,977</td>
<td>5,977</td>
<td>-5,000</td>
<td>5,977</td>
</tr>
<tr>
<td>152</td>
<td>03051901D8Z</td>
<td>C3I Intelligence Programs</td>
<td>10,552</td>
<td>10,552</td>
<td>10,552</td>
<td>10,552</td>
<td>10,552</td>
</tr>
<tr>
<td>153</td>
<td>03051911D8Z</td>
<td>Technology Development Transfer to PE: 35889D8Z (RDDLW 161a) -- Joint Electromagnetic Technology Program</td>
<td>40,000</td>
<td>40,000</td>
<td>35,000</td>
<td>40,000</td>
<td>40,000</td>
</tr>
<tr>
<td>154</td>
<td>03052020G</td>
<td>Dragon U-2 (JMIP)</td>
<td>4,019</td>
<td>4,019</td>
<td>4,019</td>
<td>4,019</td>
<td>4,019</td>
</tr>
<tr>
<td>155</td>
<td>03052061G</td>
<td>Autonomous Reconnaissance Systems</td>
<td>16,515</td>
<td>16,515</td>
<td>16,515</td>
<td>16,515</td>
<td>16,515</td>
</tr>
<tr>
<td>156</td>
<td>03052071G</td>
<td>Manned Reconnaissance Systems</td>
<td>4,556</td>
<td>4,556</td>
<td>4,556</td>
<td>4,556</td>
<td>4,556</td>
</tr>
<tr>
<td>157</td>
<td>03052080H</td>
<td>Distributed Common Ground Systems</td>
<td>1,006</td>
<td>1,006</td>
<td>1,006</td>
<td>1,006</td>
<td>1,006</td>
</tr>
<tr>
<td>158</td>
<td>03052081G</td>
<td>Distributed Common Ground Systems</td>
<td>105,455</td>
<td>105,455</td>
<td>105,455</td>
<td>105,455</td>
<td>105,455</td>
</tr>
<tr>
<td>159</td>
<td>03052091L</td>
<td>Distributed Common Ground Systems</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>160</td>
<td>03058841L</td>
<td>Intelligence Planning and Review Activities</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>161</td>
<td>03058851G</td>
<td>Tactical Cryptologic Activities</td>
<td>17,544</td>
<td>17,544</td>
<td>17,544</td>
<td>17,544</td>
<td>17,544</td>
</tr>
<tr>
<td>161a</td>
<td>03058891D8Z</td>
<td>Joint Electromagnetic Technology Program Transfer from PE: 351901D8Z (RDDLW 153) -- Technology Development</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>162</td>
<td>03058911G</td>
<td>Counterdrug Intelligence Support</td>
<td>11,312</td>
<td>11,312</td>
<td>11,312</td>
<td>11,312</td>
<td>11,312</td>
</tr>
<tr>
<td>163</td>
<td>070801IS</td>
<td>Industrial Preparedness</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>164</td>
<td>09022981L</td>
<td>Management Headquarters (OJCS)</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>165</td>
<td>09024101L</td>
<td>Joint Simulation System</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>166</td>
<td>11602991B</td>
<td>Small Business Innovative Research/Small Bus Tech Transfer Pilot Prog</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>167</td>
<td>11604011B</td>
<td>Special Operations Technology Development</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>168</td>
<td>11604021B</td>
<td>Special Operations Advanced Technology Development</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>169</td>
<td>11604041B</td>
<td>Special Operations Tactical Systems Development</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
## Title II - RDT and E
(Dollars in Thousands)

<table>
<thead>
<tr>
<th>Line No.</th>
<th>Program No.</th>
<th>Program Title</th>
<th>FY2002 Request</th>
<th>House Authorized</th>
<th>Senate Authorized</th>
<th>Conference Agreement Change</th>
<th>Authorized</th>
</tr>
</thead>
<tbody>
<tr>
<td>170</td>
<td>1160405HB</td>
<td>Special Operations Intelligence Systems Development</td>
<td>85,109</td>
<td>85,109</td>
<td>85,109</td>
<td>85,109</td>
<td></td>
</tr>
<tr>
<td>171</td>
<td>1160407HB</td>
<td>SOF Medical Technology Development</td>
<td>252,334</td>
<td>266,034</td>
<td>253,234</td>
<td>3,100</td>
<td>255,434</td>
</tr>
<tr>
<td>172</td>
<td>1160408HB</td>
<td>SOF Operational Enhancements</td>
<td>1,900</td>
<td>1,900</td>
<td>1,900</td>
<td>1,900</td>
<td></td>
</tr>
<tr>
<td>173</td>
<td>1160444HB</td>
<td>SOF Acquisition</td>
<td>2,800</td>
<td>2,800</td>
<td>2,800</td>
<td>2,800</td>
<td></td>
</tr>
<tr>
<td>999D</td>
<td></td>
<td>Classified Programs</td>
<td>1,829,938</td>
<td>1,829,938</td>
<td>1,829,938</td>
<td>1,829,938</td>
<td></td>
</tr>
<tr>
<td>173a</td>
<td></td>
<td>Management Reform Initiatives</td>
<td>(38,700)</td>
<td>(38,700)</td>
<td>(38,700)</td>
<td>(38,700)</td>
<td></td>
</tr>
<tr>
<td>173b</td>
<td></td>
<td>General Reduction to Ballistic Missile Defense RDT&amp;E Programs</td>
<td>(1,300,000)</td>
<td>(1,300,000)</td>
<td>(1,300,000)</td>
<td>(1,300,000)</td>
<td></td>
</tr>
<tr>
<td>173c</td>
<td></td>
<td>General Reduction to Ballistic Missile Defense RDT&amp;E Programs</td>
<td>(53,000)</td>
<td>(53,000)</td>
<td>(53,000)</td>
<td>(53,000)</td>
<td></td>
</tr>
<tr>
<td>Total, RDT&amp;E Defense-Wide</td>
<td></td>
<td></td>
<td>15,050,787</td>
<td>15,109,623</td>
<td>13,878,747</td>
<td>(678,147)</td>
<td>14,172,640</td>
</tr>
</tbody>
</table>
Arrow missile defense system

The budget request included $65.7 million in PE 63881C for the Arrow ballistic missile defense system, a joint development program between the United States and Israel. The Senate bill would authorize an increase of $76.0 million in PE 63881C for the Arrow System Improvement Program and for continued joint interoperability efforts.

The House amendment would authorize an increase of $30.0 million in PE 63881C for acceleration of the Arrow System Improvement Program.

The conferees agree to authorize, from within funds available to the Ballistic Missile Defense Organization, an increase of $53.0 million in PE 63881C to accelerate the Arrow System Improvement Program and to continue joint interoperability efforts for U.S. and Israeli missile defense systems.

Ballistic missile defense advanced technology

To support critical ballistic missile defense technology activities, the conferees agree that, of the funding authorized for the Ballistic Missile Defense Organization, certain amounts may be used for advanced technology activities as specified below:

(1) up to $9.0 million for the Magdalena Ridge Observatory in PE 63175C;
(2) up to $5.0 million for Phase III of the Software Defined Radar program in PE 63175C;
(3) up to $8.0 million for the Army Space and Missile Defense Organization's (AMSDO) C3 Advanced Research Center (ARC) in PE 63880C;
(4) up to $8.0 million for the Airborne Infra-red Surveillance System (AIRS) in PE 63175C;
(5) up to $2.5 million for Bottom Anti-Reflective Coatings (BARC) for circuit boards in PE 63175C;
(6) up to $7.5 million for ultra-flat planarization technology for integrated circuits in PE 63175C; and
(7) up to $10.0 million for the Atmospheric Interceptor Technology (ATI) program in PE 63175C.

Common database asset for biological security

The budget request included $125.5 million in PE 62384BP for applied research in chemical and biological defense.

The Senate bill would authorize an increase of $1.5 million to develop a database of biological, pathogen, information and bioinformatics tools to support development of medical biological countermeasures.

The House amendment included no similar authorization.

The conferees agree to authorize an increase of $1.5 million for the development of a common database asset to support development of medical biological countermeasures.

The database would integrate genomic and other biological data about high-priority pathogens, underlying scientific research and bioinformatics tools, and would serve those agencies addressing threats to biological security.

Items of special interest

Navy research and development budget exhibits

The Senate report accompanying S. 1438 (S. Rept. 107–221) would require the Navy to comply with the research and development budget justification guidelines included in the Department of Defense (DOD) Financial Management Regulations (DOD 7000.14–R). Subsequent to the passage of the Senate bill, the Navy provided additional budget justification information to the congressional defense committees.

The conferees share the concern expressed in the Senate report regarding the reorganization of the Navy’s science and technology programs and the need to enter into the fiscal year 2002 budget justification material. The failure of the Navy to display explicitly the transition between the fiscal year 2001 program element structure and the new fiscal year 2002 structure detracted from the ability of the defense authorizing committees to exercise their oversight responsibilities. The conferees also share the Senate’s concern about the priority given to Fleet and Force operational and support issues in the Navy research and technology program and direct the Secretary of the Navy to report to the congressional defense committees by March 31, 2002, on the measures being taken to address these issues.

The conferees direct the Secretary of the Navy and the Under Secretary of Defense for Acquisition to cooperate with the comptroller of the Navy’s budget justification information accompanying the fiscal year 2003 budget request to adequately describe the Navy’s science and technology program and comply with the requirements of DOD 7000.14–R. The Under Secretary shall report to the congressional defense committees with submission of the budget request any deficiencies in the budget justification material and the estimated date by which those deficiencies will be resolved.

Legislative provisions adopted

Subtitle—Authorization of Appropriations

Authorization of appropriations (secs. 201–202)

The Senate bill contained provisions (secs. 201–202) that would authorize the recommended fiscal year 2002 funding levels for all research, development, test, and evaluation accounts.

The House amendment contained similar provisions.

The conference agreement includes these provisions.

Supplemental authorization of appropriations

for fiscal year 2001 for Research, Development, Test, and Evaluation Defense-Wide (sec. 203)

The Senate bill contained a provision (sec. 203) that would authorize an increase of $1.0 million in fiscal year 2001 for intelligent spatial technologies for smart maps.

The House amendment contained no similar provision.

The House recedes.

Subtitle—Program Requirements, Restrictions, and Limitations

Navy surface fire support assessment (sec. 211)

The Senate amendment contained a provision (sec. 211) that would require the Navy to conduct an assessment of the requirements for naval surface fire support of ground forces operating in the littoral environment, including the role of an advanced fire support missile system for Navy combatant vessels. The amended provision would require that the Secretary submit a report on the results of that assessment by March 31, 2002.

Collaborative program for development of advanced radar systems (sec. 212)

The Senate amendment contained a provision (sec. 211) that would establish a cooperative research program to develop electronic materials for advanced radar applications.

The Senate bill contained no similar provision.

The House recedes with an amendment that would eliminate reference to specific dollar amounts for the programs. These dollar issues are treated in the funding tables in this report.

The House recedes with a provision that would authorize the development of a cooperative program to develop electronic materials for advanced radar applications. The House recedes with a provision that would require the Senate bill to establish a cooperative research program to develop electronic materials for advanced radar applications.

The Senate bill contained no similar provision.

The conference agreement includes the House provisions.

Repeal of limitations on total cost of engineering and manufacturing development for F–22 aircraft program (sec. 213)

The Senate bill contained a provision (sec. 211) that would repeal the cost limitation on the engineering and manufacturing development (EMD) phase for the F–22 aircraft program.

The House amendment contained a provision (sec. 214) that would have raised the cost limitation on the F–22 EMD program by $250.0 million.

The House recedes with an amendment that would clarify that the repeal of the cost limitation would apply only to the EMD phase of the program.

Joint biological defense program (sec. 214)

The Senate bill contained a provision (sec. 214) that would extend through fiscal year 2002 section 217 (a) of the Floyd D. Spence National Defense Authorization Act for Fiscal Year 2001 to define permissible obligations and identify the contractor responsible to the Congress concerning procurement of anthrax vaccine.

The House amendment contained no similar provision.

The House recedes.

Cooperative Department of Defense-Department of Veterans Affairs Medical Research Program (secs. 215)

The House amendment contained a provision (sec. 211) that would authorize funding for the cooperative Department of Defense/Department of Veterans Affairs medical research program.

The Senate bill contained no similar provision.
C-5 aircraft reliability enhancement and reengining program (sec. 216)

This amendment would add a provision (sec. 216) that would require the Secretary of the Air Force to ensure that engineering and manufacturing development (EMD) under the C-5A Enhanced Reliability and Reengining Program (RERP) includes kit development for an equal number of C-5A and C-5B aircraft. The Air Force program envisioned development of four aircraft in the RERP EMD program.

The House amendment contained no similar provision.

The Senate recedes with an amendment that would require the Secretary to include at least one aircraft from among the 74 C-5A aircraft in the C-5 RERP EMD program.

SUBTITLE C—BALISTIC MISSILE DEFENSE

Transfer of responsibility for procurement and test event information

The Senate recedes with an amendment that would require the President to transfer responsibility for procurement and test event information as required by the provision to the congressional defense committees. Prior to the transfer of such a program, the Secretary would be required to notify Congress of his intent to make the transfer. The amendment would require the Secretary to certify that the program had met the criteria for transfer. The provision would permit such a transfer 60 days after Congress is notified.

The Senate bill contained no similar provision.

The Senate recedes with an amendment that would require the Secretary of Defense to ensure that transfers of programs that are at an appropriate confining stage are made to proposed or projected funding allocations in the future years defense program. This will ensure that the funding is transferred with a program from the BMDO to a military department. The amendment would require that, before a program is transferred, the requirements are clearly defined for follow-on research, development, test and evaluation related to system improvement for that program.

The budget request proposed transferring the Patriot PAC-3 and the Medium Extended Air Defense System (MEADS) to the Army, and the Navy Area Defense system to the Navy. This provision would delay any such transfer until the requirements of the provision have been met. Consequently, the conference agrees to authorize funding for these ballistic missile defense programs within the FY-designated funding levels and with the SEED authority to look at potential equivalencies of the funding documents. The Secretary of Defense shall ensure that each year's budget justification documents include the following information for programs and projects in earlier stages of research and development:

(1) funding appropriated in the previous year;
(2) the expected funding requirement for the next six years, by year; and
(3) detailed schedule including hardware and software deliveries, to the extent known, and planned decision points and test events, at least through completion of the planned development and evaluation of the prototype or experiment.

This information shall be provided as part of the annual program plan report required by the provision, for any projects as identified above and any program or project identified as a matter of special interest, provided the information is not already included in budget justification materials accompanying the annual budget request.

Balistic missile defense programs are among the most technologically challenging and complex in the Department of Defense. The exploration of leading edge technologies advanced with these programs often involves significant costs. Department of Defense directives and instructions (e.g., DoD Directive 5000.2) require the completion of acquisition cost, life-cycle cost, and total ownership costs for defense programs and projects approved. The Senate amendment would require the Department of Defense to fully comply with the requirements of these DOD directives and instructions, including Department of Defense Instruction 5000.2 Support of ballistic missile defense activities of the Department of Defense of the National Defense Laboratories of the Department of Energy (sec. 233)

The Senate recedes with an amendment (sec. 233) that would, at the discretion of the Director of the Ballistic Missile Defense Organization (BMDO), make available from funds authorized for the BMDO up to $25.0 million for research development and demonstration activities at the national laboratories of the Department of Energy National Nuclear Security Administration (NNSA) in support of the missions of the BMDO. The funds would be available subject to the provisions included by the NNSA. Activities funded using this authority would be conducted under terms of the September 14, 2001 Memorandum of Understanding (MOU) between the BMDO and the Administrator of the National Nuclear Security Administration for use of the national laboratories by the BMDO.

The Senate bill contained no similar provision.

The Senate recedes.

The provision would authorize the Director of the BMDO to use funds available to BMDO, on a discretionary basis, to utilize the national laboratories under the terms and conditions of the MOU. The terms of this MOU require that jointly-funded work done pursuant to the MOU be mutually beneficial to the missions of the two Departments.

The conference notes that the NNSA laboratories do a substantial amount of work for the BMDO and to the extent that the NNSA is able to conduct research and development centers on a Work for Others basis. The conference does not intend for this provision in any way to affect the ability of the BMDO to contract with the NNSA laboratories to conduct work under the Work for Others program. On the contrary, the conference urges the BMDO to take advantage of the capabilities of the NNSA laboratories and to utilize these capabilities fully.
Missile defense testing initiative (sec. 234)

The House amendment contained a provision (sec. 234) that would establish certain guidelines and requirements for the ballistic missile defense testing program of the Department of Defense.

The Senate bill contained no similar provision.

The Senate recedes with a clarifying amendment.

Construction of test bed facilities for missile defense system (sec. 235)

The House amendment contained a provision (sec. 235) that would authorize the Secretary of Defense to use up to $500.0 million of funds appropriated for research, development, test, and evaluation for fiscal years after fiscal year 2001 that are available for the Ballistic Missile Defense Organization to carry out construction projects, including construction of facilities “of general utility,” to establish and operate the missile defense system test bed. The provision would also authorize the Secretary of Defense to use such funds to provide assistance to communities to meet increased needs for services or facilities resulting from construction or operation of the test bed, subject to certain conditions.

The Senate bill contained no similar provision.

The Senate recedes with an amendment that would make clear that funds may be used for all construction projects necessary to establish and operate the test bed, but removes the reference to facilities “of general utility.” The conferees understand that this authorization would permit the construction of such facilities as a power generation plant, a heating plant and roads. The conferees believe that the term “of general utility” could have been construed to mean facilities not necessary for establishing or operating the test bed, which would be inconsistent with congressional intent.

The amendment would also limit the use of funds for community assistance to funds appropriated for fiscal year 2002. If the Secretary of Defense determines that additional authority is needed to use funds for community assistance, the conferees direct the Secretary to provide full and specific justification for such authority.

Subtitle E—Other Matters

Establishment of unmanned aerial vehicle joint operational test bed system (sec. 261)

The House amendment contained a provision (sec. 261) that would require the Commander, Joint Forces Command to establish a joint operational test bed (JOTB) system to evaluate and ensure joint interoperability of unmanned aerial vehicles (UAVs) systems. The House amendment would also direct the Secretary of the Navy to transfer certain Predator UAVs and related equipment to the Joint Forces Command for use in the JOTB system.

The Senate bill contained no similar provision.

The Senate recedes with an amendment that would provide a transfer agreement for the Predator, but ensure that the Commander-in-Chief, U.S. Joint Forces Command controls the priority for use of these predators and UAVs.

Demonstration project to increase small business and university participation in Office of Naval Research efforts to extend benefits of science and technology research to fleet (sec. 262)

The House amendment contained a provision (sec. 262) that would require the Chief of Naval Research to carry out a demonstration project to increase access to Navy facilities of small businesses and universities that are engaged in science and technology research beneficial to the fleet.

The Senate bill contained no similar provision.

The Senate recedes with an amendment that would ensure that the Secretary of the Navy has discretion over which Navy facilities make available for the demonstration project and is able to charge an appropriate fee for the use of these facilities.

The conference encourages the Chief of Naval Research to reach out to small, high-technology companies and encourage them to participate in this demonstration program. As a part of this outreach effort, the conference encourages the Chief of Naval Research to consider the use of third-party partners, where appropriate, to help create and maintain contacts and relationships with the high-technology communities.

Communication of safety concerns from operational test and evaluation officials to program managers (sec. 263)

The Senate bill contained a provision (sec. 263) that would amend section 192 of title 10, United States Code. The provision would add a subsection requiring the Director of Operational Test and Evaluation to establish procedures to communicate in a timely manner to the program manager responsible for the acquisition of that weapon system.

The House amendment contained no similar provision.

The Senate recedes.

LEGISLATIVE PROVISIONS NOT ADOPTED

Big Crow

The Senate bill contained a provision (sec. 215) that would authorize funding for the Big Crow program.

The House amendment contained no similar provision.

The Senate recedes on the provision.

The conference agreed to authorize an increase of $2.0 million in PE 651855 for the Big Crow program for test and evaluation activities to support electronic warfare, space operations, and other missions.

C-5 aircraft modernization

The House amendment contained a provision (sec. 215) that would restore a reduction of $80.0 million in the amount requested in Research, Development, Test, and Evaluation, Air Force, for re-engining and avionics modernization programs for the C-5 aircraft.

The Senate bill contained no similar provision.

The House recedes.

The House conference agree to authorize the budget request.

Enhanced scramjet mixing

The Senate bill contained a provision (sec. 265) that would authorize funding for enhanced scramjet mixing.

The House amendment contained no similar provision.

The Senate recedes on the provision.

The conference agreed to authorize an increase of $2.5 million in PE 623893A for research in enhanced scramjet mixing.

Management responsibility for Navy mine countermeasures programs

The House amendment contained a provision (sec. 245) that would extend the time period during which the Secretary of Defense and the Chairman of the Joint Chiefs would have to provide an annual certification about the adequacy of the Navy’s mine countermeasures programs. The provision would change the ending date of that requirement from fiscal year 2003 to fiscal year 2004.

The Senate bill contained no similar provision.

The Senate recedes.

Review of alternatives to the V-22 Osprey aircraft

The Senate bill contained a provision (sec. 213) that would require the Under Secretary of Defense (Acquisition, Technology, and Logistics) to conduct a review of Marine Corps and Special Operations Command requirements that are expected to be met by the V-22 aircraft. In conducting the review, the conference determines that potential alternatives to the V-22 in the event that the V-22 program were to be terminated. The provision would also set aside $5.0 million that would be available to conduct this review.

The House amendment contained no similar provision.

The Senate recedes.

Special operations forces command, control, communications, computers, and intelligence systems threat warning and situational awareness programs

The Senate bill contained a provision (sec. 294) that would authorize an increase of $2.8 million in PE 116055BB for the special operations forces command, control, communications, computers, and intelligence (SOF C4I) systems threat warning and situational awareness (PRIVATEER) program.

The House amendment contained no similar provision.

The Senate recedes on the provision.

The conference agrees to authorize an increase of $1.0 million for the special operations forces command, control, communications, computers, and intelligence (SOF C4I) systems threat warning and situational awareness (PRIVATEER) program, as noted elsewhere in this conference report.

Technology “Challenger” program

The House amendment contained a provision (sec. 314) that would establish a technology “Challenger” program for the acceleration of innovative technology in defense acquisition programs.

The Senate bill contained no similar provision.

The House recedes.

Technology transition initiative

The Senate bill contained a provision (sec. 253) that would establish a technology transition initiative within the Department of Defense.
The House amendment contained no similar provision.
The Senate recedes.
The conferees direct the Department of Defense to continue and expand efforts to accelerate the rapid transition of technologies into operational environments.

TITLE III—OPERATION AND MAINTENANCE

Overview

The budget request for fiscal year 2002 requested an authorization of $125,350.0 million for operation and maintenance programs and $2,458.4 million for working capital fund accounts for the Department of Defense for fiscal year 2002.

The Senate bill would authorize $125,386.3 million for operation and maintenance accounts and $2,408.1 million for working capital fund accounts.

The House amendment would authorize $124,025.0 million for operation and maintenance accounts and $2,359.7 million for working capital fund accounts.

The conferees recommend an authorization of $123,259.9 million for the operation and maintenance accounts and $1,656.4 million for the working capital fund accounts of the Department of Defense for fiscal year 2002.

The conferees agree to a reduction of $295.6 million in the Defense Working Capital Fund to reflect lower fuel prices; and a reduction of $125.0 million to reflect adjustments in utility prices, to be allocated proportionately among the Army, Navy, Marine Corps, Air Force and Defense-Wide accounts. Unless noted explicitly in the statement of managers, all funding changes are made without prejudice.

The following table lists the amounts authorized to be appropriated for each program in the operation and maintenance accounts of the Department of Defense.
### NATIONAL DEFENSE AUTHORIZATIONS FOR FISCAL YEAR 2002
(In Thousands of Dollars)

<table>
<thead>
<tr>
<th>Title III -- OPERATION AND MAINTENANCE</th>
<th>Authorization Request</th>
<th>House Authorization</th>
<th>Senate Authorization</th>
<th>Change</th>
<th>Conference Authorization</th>
</tr>
</thead>
<tbody>
<tr>
<td>Operation and Maintenance, Army</td>
<td>21,191,680</td>
<td>21,015,280</td>
<td>21,146,882</td>
<td>(38,839)</td>
<td>20,653,241</td>
</tr>
<tr>
<td>Operation and Maintenance, Navy</td>
<td>26,961,303</td>
<td>26,587,962</td>
<td>26,927,931</td>
<td>(500,083)</td>
<td>26,461,299</td>
</tr>
<tr>
<td>Operation and Maintenance, Marine Corps</td>
<td>2,892,314</td>
<td>2,898,114</td>
<td>2,914,339</td>
<td>(19,824)</td>
<td>2,872,524</td>
</tr>
<tr>
<td>Operation and Maintenance, Air Force</td>
<td>26,146,770</td>
<td>25,811,462</td>
<td>25,593,582</td>
<td>(48,183)</td>
<td>25,598,767</td>
</tr>
<tr>
<td>Operation and Maintenance, Defense-Wide</td>
<td>12,518,631</td>
<td>11,690,031</td>
<td>12,470,732</td>
<td>(66,845)</td>
<td>11,949,586</td>
</tr>
<tr>
<td>Operation and Maintenance, Army Reserve</td>
<td>1,787,246</td>
<td>1,814,246</td>
<td>1,803,146</td>
<td>12,100</td>
<td>1,824,146</td>
</tr>
<tr>
<td>Operation and Maintenance, Navy Reserve</td>
<td>1,003,600</td>
<td>1,003,600</td>
<td>1,000,369</td>
<td>(604)</td>
<td>1,000,000</td>
</tr>
<tr>
<td>Operation and Maintenance, Marine Corps Reserve</td>
<td>144,023</td>
<td>144,023</td>
<td>142,956</td>
<td>(1,070)</td>
<td>142,853</td>
</tr>
<tr>
<td>Operation and Maintenance, Air Force Reserve</td>
<td>2,029,866</td>
<td>2,017,866</td>
<td>2,029,866</td>
<td>0</td>
<td>2,029,866</td>
</tr>
<tr>
<td>Operation and Maintenance, Army National Guard</td>
<td>3,677,359</td>
<td>3,705,359</td>
<td>3,697,659</td>
<td>2,300</td>
<td>3,696,559</td>
</tr>
<tr>
<td>Operation and Maintenance, Air National Guard</td>
<td>3,867,361</td>
<td>3,967,361</td>
<td>4,037,161</td>
<td>100,000</td>
<td>3,967,361</td>
</tr>
<tr>
<td>Office of the Inspector General</td>
<td>150,221</td>
<td>152,021</td>
<td>149,231</td>
<td>(1,000)</td>
<td>149,221</td>
</tr>
<tr>
<td>US Court of Appeals, Armed Forces</td>
<td>9,096</td>
<td>9,096</td>
<td>9,096</td>
<td>0</td>
<td>9,096</td>
</tr>
<tr>
<td>Environmental Restoration, Army</td>
<td>389,800</td>
<td>389,800</td>
<td>389,800</td>
<td>0</td>
<td>389,800</td>
</tr>
<tr>
<td>Environmental Restoration, Navy</td>
<td>257,517</td>
<td>257,517</td>
<td>257,517</td>
<td>0</td>
<td>257,517</td>
</tr>
<tr>
<td>Environmental Restoration, Air Force</td>
<td>385,437</td>
<td>385,437</td>
<td>385,437</td>
<td>0</td>
<td>385,437</td>
</tr>
<tr>
<td>Environmental Restoration, Defense</td>
<td>23,492</td>
<td>23,492</td>
<td>23,492</td>
<td>0</td>
<td>23,492</td>
</tr>
<tr>
<td>Environmental Restoration, Formerly Used Defense Sites</td>
<td>190,255</td>
<td>190,255</td>
<td>230,255</td>
<td>40,000</td>
<td>230,255</td>
</tr>
<tr>
<td>General Reduction, Title III</td>
<td>(4,000)</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Overseas Humanitarian, Disaster &amp; Civic Aid</td>
<td>49,700</td>
<td>49,700</td>
<td>49,700</td>
<td>0</td>
<td>49,700</td>
</tr>
<tr>
<td>Drug Interdiction &amp; Counter-Drug Activities, Defense</td>
<td>820,381</td>
<td>820,381</td>
<td>860,381</td>
<td>0</td>
<td>820,381</td>
</tr>
<tr>
<td>Payment to Kaho'olawe Island Fund</td>
<td>25,000</td>
<td>25,000</td>
<td>60,000</td>
<td>15,000</td>
<td>40,000</td>
</tr>
<tr>
<td>Defense Health Program</td>
<td>17,565,750</td>
<td>17,570,750</td>
<td>17,546,750</td>
<td>5,000</td>
<td>17,570,750</td>
</tr>
<tr>
<td>Cooperative Threat Reduction</td>
<td>403,000</td>
<td>403,000</td>
<td>403,000</td>
<td>0</td>
<td>403,000</td>
</tr>
<tr>
<td>Overseas Contingency Operations Transfer Fund</td>
<td>2,844,226</td>
<td>2,844,226</td>
<td>2,844,226</td>
<td>0</td>
<td>2,844,226</td>
</tr>
<tr>
<td>Support for International Sporting Competitions</td>
<td>15,800</td>
<td>15,800</td>
<td>15,800</td>
<td>0</td>
<td>15,800</td>
</tr>
</tbody>
</table>
## NATIONAL DEFENSE AUTHORIZATIONS FOR FISCAL YEAR 2002

(In Thousands of Dollars)

<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Utilities Adjustment</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Restoration of Rocky Mountain Arsenal</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Kahoolawe Island Environmental Restoration</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Disposal of DoD Real Property</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Lease of DoD Real Property</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>National Science Center, Army</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>DoD Overseas Military Facility Investment Recovery</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Defense Burdensharing - Allies/NATO</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td><strong>TOTAL OPERATION AND MAINTENANCE</strong></td>
<td><strong>125,349,997</strong></td>
<td><strong>123,791,869</strong></td>
<td><strong>125,346,298</strong></td>
<td><strong>(2,690,070)</strong></td>
<td><strong>123,259,927</strong></td>
</tr>
</tbody>
</table>

## REVOLVING AND MANAGEMENT FUNDS

<table>
<thead>
<tr>
<th>Fund</th>
<th>Authorization Request</th>
<th>House</th>
<th>Senate</th>
<th>Conference Change</th>
<th>Conference Authorization</th>
</tr>
</thead>
<tbody>
<tr>
<td>Defense Working Capital Fund, Army</td>
<td>170,000</td>
<td>170,000</td>
<td>170,000</td>
<td>0</td>
<td>170,000</td>
</tr>
<tr>
<td>Defense Working Capital Fund, Air Force</td>
<td>36,786</td>
<td>36,786</td>
<td>36,786</td>
<td>0</td>
<td>36,786</td>
</tr>
<tr>
<td>Defense Working Capital Fund, DECA</td>
<td>1,103,300</td>
<td>1,103,300</td>
<td>1,103,300</td>
<td>0</td>
<td>1,103,300</td>
</tr>
<tr>
<td><strong>TOTAL REVOLVING AND MANAGEMENT FUNDS</strong></td>
<td><strong>2,458,394</strong></td>
<td><strong>2,359,694</strong></td>
<td><strong>2,408,094</strong></td>
<td><strong>(394,290)</strong></td>
<td><strong>2,064,104</strong></td>
</tr>
</tbody>
</table>

**TOTAL TITLE III**

<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>127,808,391</td>
<td>126,151,563</td>
<td>127,754,392</td>
<td>(2,484,360)</td>
<td>125,324,031</td>
</tr>
</tbody>
</table>
Title III - Operation & Maintenance  
(Dollars in Thousands) 

<table>
<thead>
<tr>
<th>Line</th>
<th>Activity/Subactivity</th>
<th>FY 2002 Request</th>
<th>House Authorized</th>
<th>Senate Authorized</th>
<th>Conference Change</th>
<th>Conference Authorized</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Operation and Maintenance, Army</td>
<td>1,171,981</td>
<td>1,171,981</td>
<td>1,171,981</td>
<td>0</td>
<td>1,171,981</td>
</tr>
<tr>
<td>10</td>
<td>BUDGET ACTIVITY 01: OPERATING FORCES</td>
<td>1,171,981</td>
<td>10,000</td>
<td>4,000</td>
<td>4,000</td>
<td>0</td>
</tr>
<tr>
<td></td>
<td>LAND FORCES</td>
<td>1,171,981</td>
<td>0</td>
<td>1,200</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>10a</td>
<td>DIVISIONS</td>
<td>1,171,981</td>
<td>0</td>
<td>1,200</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>10b</td>
<td>Objective Force Task Force</td>
<td>341,802</td>
<td>341,802</td>
<td>341,802</td>
<td>0</td>
<td>341,802</td>
</tr>
<tr>
<td>20</td>
<td>CORPS COMBAT FORCES</td>
<td>341,802</td>
<td>341,802</td>
<td>341,802</td>
<td>0</td>
<td>341,802</td>
</tr>
<tr>
<td>30</td>
<td>CORPS SUPPORT FORCES</td>
<td>315,109</td>
<td>315,109</td>
<td>315,109</td>
<td>0</td>
<td>315,109</td>
</tr>
<tr>
<td>40</td>
<td>ECHelon ABOVE CORPS SUPPORT FORCES</td>
<td>476,280</td>
<td>476,280</td>
<td>476,280</td>
<td>0</td>
<td>476,280</td>
</tr>
<tr>
<td>50</td>
<td>LAND FORCES OPERATIONS SUPPORT</td>
<td>476,280</td>
<td>476,280</td>
<td>476,280</td>
<td>0</td>
<td>476,280</td>
</tr>
<tr>
<td></td>
<td>LAND FORCES READINESS</td>
<td>997,837</td>
<td>997,837</td>
<td>997,837</td>
<td>0</td>
<td>997,837</td>
</tr>
<tr>
<td>60</td>
<td>FORCE READINESS OPERATIONS SUPPORT</td>
<td>997,837</td>
<td>997,837</td>
<td>997,837</td>
<td>0</td>
<td>997,837</td>
</tr>
<tr>
<td>60a</td>
<td>M Gator</td>
<td>1,132,933</td>
<td>1,132,933</td>
<td>1,132,933</td>
<td>0</td>
<td>1,132,933</td>
</tr>
<tr>
<td>60b</td>
<td>Range Instrumentation</td>
<td>6,600</td>
<td>6,600</td>
<td>6,600</td>
<td>6,600</td>
<td>6,600</td>
</tr>
<tr>
<td>70</td>
<td>LAND FORCES SYSTEMS READINESS</td>
<td>467,197</td>
<td>467,197</td>
<td>467,197</td>
<td>0</td>
<td>467,197</td>
</tr>
<tr>
<td>80</td>
<td>LAND FORCES DEPOT MAINTENANCE</td>
<td>810,561</td>
<td>810,561</td>
<td>810,561</td>
<td>0</td>
<td>810,561</td>
</tr>
<tr>
<td></td>
<td>LAND FORCES READINESS SUPPORT</td>
<td>810,561</td>
<td>810,561</td>
<td>810,561</td>
<td>0</td>
<td>810,561</td>
</tr>
<tr>
<td>90</td>
<td>BASE OPERATIONS SUPPORT</td>
<td>2,799,321</td>
<td>2,799,321</td>
<td>2,799,321</td>
<td>0</td>
<td>2,799,321</td>
</tr>
<tr>
<td>100</td>
<td>FACILITIES SUSTAINMENT, RESTORATION &amp; MODERNIZATION (OP FORCES)</td>
<td>2,799,321</td>
<td>2,799,321</td>
<td>2,799,321</td>
<td>0</td>
<td>2,799,321</td>
</tr>
<tr>
<td>110</td>
<td>MANAGEMENT &amp; OPERATIONAL HEADQUARTERS</td>
<td>1,178,502</td>
<td>1,178,502</td>
<td>1,178,502</td>
<td>0</td>
<td>1,178,502</td>
</tr>
<tr>
<td>120</td>
<td>UNITED COMMANDS</td>
<td>234,907</td>
<td>234,907</td>
<td>234,907</td>
<td>0</td>
<td>234,907</td>
</tr>
<tr>
<td>130</td>
<td>MISCELLANEOUS ACTIVITIES</td>
<td>77,907</td>
<td>77,907</td>
<td>77,907</td>
<td>0</td>
<td>77,907</td>
</tr>
<tr>
<td></td>
<td>TOTAL, BUDGET ACTIVITY 1:</td>
<td>10,268,552</td>
<td>10,275,152</td>
<td>10,298,252</td>
<td>16,600</td>
<td>10,285,152</td>
</tr>
</tbody>
</table>
### Title III - Operation & Maintenance

(Dollars in Thousands)

<table>
<thead>
<tr>
<th>Line</th>
<th>Activity/Subactivity</th>
<th>FY 2002</th>
<th>House Authorized</th>
<th>Senate Authorized</th>
<th>Conference Change</th>
<th>Conference Authorized</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td><strong>BUDGET ACTIVITY 02: MOBILIZATION</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>140</td>
<td>STRATEGIC MOBILIZATION</td>
<td>385,289</td>
<td>385,289</td>
<td>385,289</td>
<td>0</td>
<td>385,289</td>
</tr>
<tr>
<td>150</td>
<td>ARMY PREPOSITIONED STOCKS</td>
<td>133,675</td>
<td>133,675</td>
<td>133,675</td>
<td>0</td>
<td>133,675</td>
</tr>
<tr>
<td>160</td>
<td>INDUSTRIAL PREPAREDNESS</td>
<td>46,442</td>
<td>46,442</td>
<td>46,442</td>
<td>0</td>
<td>46,442</td>
</tr>
<tr>
<td>170</td>
<td>FACILITIES SUSTAINMENT, RESTORATION &amp; MODERNIZATION (MOBILITY OPERATIONS)</td>
<td>16,478</td>
<td>16,478</td>
<td>16,478</td>
<td>0</td>
<td>16,478</td>
</tr>
<tr>
<td></td>
<td><strong>TOTAL, BUDGET ACTIVITY 2:</strong></td>
<td>591,884</td>
<td>581,884</td>
<td>581,884</td>
<td>0</td>
<td>581,884</td>
</tr>
<tr>
<td></td>
<td><strong>BUDGET ACTIVITY 03: TRAINING AND RECRUITING</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>180</td>
<td>OFFICER ACQUISITION</td>
<td>79,842</td>
<td>79,842</td>
<td>79,842</td>
<td>0</td>
<td>79,842</td>
</tr>
<tr>
<td>190</td>
<td>RECRUIT TRAINING</td>
<td>17,265</td>
<td>17,265</td>
<td>17,265</td>
<td>0</td>
<td>17,265</td>
</tr>
<tr>
<td>200</td>
<td>ONE STATION UNIT TRAINING</td>
<td>20,485</td>
<td>20,485</td>
<td>20,485</td>
<td>0</td>
<td>20,485</td>
</tr>
<tr>
<td>210</td>
<td>SENIOR RESERVE OFFICERS' TRAINING CORPS</td>
<td>183,376</td>
<td>183,376</td>
<td>183,376</td>
<td>0</td>
<td>183,376</td>
</tr>
<tr>
<td>220</td>
<td>BASE OPERATIONS SUPPORT (ACCESSION TRAINING)</td>
<td>80,840</td>
<td>80,840</td>
<td>80,840</td>
<td>0</td>
<td>80,840</td>
</tr>
<tr>
<td>230</td>
<td>FACILITIES SUSTAINMENT, RESTORATION &amp; MODERNIZATION (ACCESSION TRAINING)</td>
<td>57,432</td>
<td>57,432</td>
<td>57,432</td>
<td>0</td>
<td>57,432</td>
</tr>
<tr>
<td>240</td>
<td>BASIC SKILL/ADVANCE TRAINING</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>250</td>
<td>SPECIALIZED SKILL TRAINING</td>
<td>261,446</td>
<td>261,446</td>
<td>261,446</td>
<td>0</td>
<td>261,446</td>
</tr>
<tr>
<td>260</td>
<td>FLIGHT TRAINING</td>
<td>403,105</td>
<td>403,105</td>
<td>403,105</td>
<td>0</td>
<td>403,105</td>
</tr>
<tr>
<td>270</td>
<td>PROFESSIONAL DEVELOPMENT EDUCATION</td>
<td>114,373</td>
<td>114,373</td>
<td>114,373</td>
<td>0</td>
<td>114,373</td>
</tr>
<tr>
<td>270a</td>
<td>TRAINING SUPPORT</td>
<td>485,815</td>
<td>485,815</td>
<td>485,815</td>
<td>0</td>
<td>485,815</td>
</tr>
<tr>
<td>270b</td>
<td>New Organization Training Teams</td>
<td>0</td>
<td>2,280</td>
<td>0</td>
<td>0</td>
<td></td>
</tr>
<tr>
<td>270c</td>
<td>HHC Battle Command Training Program</td>
<td>0</td>
<td>1,421</td>
<td>0</td>
<td>0</td>
<td></td>
</tr>
</tbody>
</table>
# Title III - Operation & Maintenance

(Dollars in Thousands)

<table>
<thead>
<tr>
<th>Line</th>
<th>Activity/Subactivity</th>
<th>FY 2002 Request</th>
<th>House Authorized</th>
<th>Senate Authorized</th>
<th>Conference Change</th>
<th>Conference Authorized</th>
</tr>
</thead>
<tbody>
<tr>
<td>280</td>
<td>BASE OPERATIONS SUPPORT (BASIC SKL/ADV TRAINING)</td>
<td>898,129</td>
<td>898,129</td>
<td>898,129</td>
<td>0</td>
<td>898,129</td>
</tr>
<tr>
<td>290</td>
<td>FACILITY SUSTAINMENT, RESTORATION &amp; MODERNIZATION (BASIC SKL/ADV TRAINING)</td>
<td>401,885</td>
<td>401,885</td>
<td>401,885</td>
<td>0</td>
<td>401,885</td>
</tr>
<tr>
<td>300</td>
<td>RECRUITING &amp; OTHER TRAINING</td>
<td>442,612</td>
<td>442,612</td>
<td>442,612</td>
<td>0</td>
<td>442,612</td>
</tr>
<tr>
<td>310</td>
<td>EXAMINING</td>
<td>78,260</td>
<td>78,260</td>
<td>78,260</td>
<td>0</td>
<td>78,260</td>
</tr>
<tr>
<td>320</td>
<td>OFF DUTY AND VOLUNTARY EDUCATION</td>
<td>142,515</td>
<td>142,515</td>
<td>142,515</td>
<td>0</td>
<td>142,515</td>
</tr>
<tr>
<td>330</td>
<td>CIVILIAN EDUCATION AND TRAINING</td>
<td>82,563</td>
<td>82,563</td>
<td>82,563</td>
<td>0</td>
<td>82,563</td>
</tr>
<tr>
<td>340</td>
<td>JUNIOR RESERVE OFFICERS' TRAINING CORPS</td>
<td>88,873</td>
<td>88,873</td>
<td>88,873</td>
<td>0</td>
<td>88,873</td>
</tr>
<tr>
<td>350</td>
<td>BASE OPERATIONS SUPPORT (RECRUITING &amp; OTHER TRAINING)</td>
<td>259,491</td>
<td>259,491</td>
<td>259,491</td>
<td>0</td>
<td>259,491</td>
</tr>
<tr>
<td></td>
<td>TOTAL, BUDGET ACTIVITY 3:</td>
<td>4,098,307</td>
<td>4,098,307</td>
<td>4,102,808</td>
<td>0</td>
<td>4,098,307</td>
</tr>
</tbody>
</table>

## BUDGET ACTIVITY 4: ADMINISTRATION & SERVICE-WIDE ACTIVITIES

### SECURITY PROGRAMS

<table>
<thead>
<tr>
<th>Line</th>
<th>Activity</th>
<th>FY 2002 Request</th>
<th>House Authorized</th>
<th>Senate Authorized</th>
<th>Conference Change</th>
<th>Conference Authorized</th>
</tr>
</thead>
<tbody>
<tr>
<td>360</td>
<td>SECURITY PROGRAMS</td>
<td>479,506</td>
<td>479,506</td>
<td>479,506</td>
<td>0</td>
<td>479,506</td>
</tr>
</tbody>
</table>

### LOGISTICS OPERATIONS

<table>
<thead>
<tr>
<th>Line</th>
<th>Activity</th>
<th>FY 2002 Request</th>
<th>House Authorized</th>
<th>Senate Authorized</th>
<th>Conference Change</th>
<th>Conference Authorized</th>
</tr>
</thead>
<tbody>
<tr>
<td>370</td>
<td>SERVICE-WIDE TRANSPORTATION</td>
<td>517,218</td>
<td>496,218</td>
<td>517,218</td>
<td>10,000</td>
<td>507,218</td>
</tr>
<tr>
<td>380</td>
<td>CENTRAL SUPPLY ACTIVITIES</td>
<td>454,682</td>
<td>454,682</td>
<td>454,682</td>
<td>0</td>
<td>454,682</td>
</tr>
<tr>
<td>390</td>
<td>LOGISTICS SUPPORT ACTIVITIES</td>
<td>570,911</td>
<td>570,911</td>
<td>570,911</td>
<td>0</td>
<td>570,911</td>
</tr>
</tbody>
</table>

#### 390a Corrosion Prevention

<table>
<thead>
<tr>
<th>Line</th>
<th>Description</th>
<th>FY 2002 Request</th>
<th>House Authorized</th>
<th>Senate Authorized</th>
<th>Conference Change</th>
<th>Conference Authorized</th>
</tr>
</thead>
<tbody>
<tr>
<td>390a</td>
<td>Corrosion Prevention</td>
<td>0</td>
<td>5,400</td>
<td>0</td>
<td>0</td>
<td></td>
</tr>
</tbody>
</table>

#### 390b Maintenance Air/Heli

<table>
<thead>
<tr>
<th>Line</th>
<th>Description</th>
<th>FY 2002 Request</th>
<th>House Authorized</th>
<th>Senate Authorized</th>
<th>Conference Change</th>
<th>Conference Authorized</th>
</tr>
</thead>
<tbody>
<tr>
<td>390b</td>
<td>Maintenance Air/Heli</td>
<td>9,000</td>
<td>0</td>
<td>9,000</td>
<td>9,000</td>
<td></td>
</tr>
</tbody>
</table>

#### 390c Replacement Containers, Ft Drum

<table>
<thead>
<tr>
<th>Line</th>
<th>Description</th>
<th>FY 2002 Request</th>
<th>House Authorized</th>
<th>Senate Authorized</th>
<th>Conference Change</th>
<th>Conference Authorized</th>
</tr>
</thead>
<tbody>
<tr>
<td>390c</td>
<td>Replacement Containers, Ft Drum</td>
<td>1,600</td>
<td>0</td>
<td>1,600</td>
<td>1,600</td>
<td></td>
</tr>
</tbody>
</table>

#### 390d Electronic Maintenance & Point to Point Wiring

<table>
<thead>
<tr>
<th>Line</th>
<th>Description</th>
<th>FY 2002 Request</th>
<th>House Authorized</th>
<th>Senate Authorized</th>
<th>Conference Change</th>
<th>Conference Authorized</th>
</tr>
</thead>
<tbody>
<tr>
<td>390d</td>
<td>Electronic Maintenance &amp; Point to Point Wiring</td>
<td>4,000</td>
<td>0</td>
<td>4,000</td>
<td>4,000</td>
<td></td>
</tr>
</tbody>
</table>

#### 390e Wage Grade Employees

<table>
<thead>
<tr>
<th>Line</th>
<th>Description</th>
<th>FY 2002 Request</th>
<th>House Authorized</th>
<th>Senate Authorized</th>
<th>Conference Change</th>
<th>Conference Authorized</th>
</tr>
</thead>
<tbody>
<tr>
<td>390e</td>
<td>Wage Grade Employees</td>
<td>4,160</td>
<td>0</td>
<td>4,160</td>
<td>0</td>
<td></td>
</tr>
</tbody>
</table>
## Title III - Operation & Maintenance

(Dollars in Thousands)

<table>
<thead>
<tr>
<th>Line</th>
<th>Activity/Subactivity</th>
<th>FV 2002 Request</th>
<th>House Authorized</th>
<th>Senate Authorized</th>
<th>Conference Change</th>
<th>Conference Authorized</th>
</tr>
</thead>
<tbody>
<tr>
<td>400</td>
<td>AMMUNITION MANAGEMENT</td>
<td>357,033</td>
<td>357,033</td>
<td>357,033</td>
<td>0</td>
<td>357,033</td>
</tr>
<tr>
<td>410</td>
<td>SERVICEWIDE SUPPORT</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>420</td>
<td>ADMINISTRATION</td>
<td>536,030</td>
<td>506,030</td>
<td>536,030</td>
<td>-30,000</td>
<td>506,030</td>
</tr>
<tr>
<td>430</td>
<td>SERVICEWIDE COMMUNICATIONS</td>
<td>532,013</td>
<td>519,413</td>
<td>532,013</td>
<td>-12,000</td>
<td>520,013</td>
</tr>
<tr>
<td>440</td>
<td>MANPOWER MANAGEMENT</td>
<td>160,159</td>
<td>153,759</td>
<td>160,159</td>
<td>-6,400</td>
<td>153,759</td>
</tr>
<tr>
<td>450</td>
<td>OTHER PERSONNEL SUPPORT</td>
<td>175,429</td>
<td>175,429</td>
<td>175,429</td>
<td>0</td>
<td>175,429</td>
</tr>
<tr>
<td>460</td>
<td>OTHER SERVICE SUPPORT</td>
<td>613,253</td>
<td>603,553</td>
<td>613,253</td>
<td>-9,000</td>
<td>606,253</td>
</tr>
<tr>
<td>470</td>
<td>ARMY CLAIMS</td>
<td>112,947</td>
<td>112,947</td>
<td>112,947</td>
<td>0</td>
<td>112,947</td>
</tr>
<tr>
<td>480</td>
<td>REAL ESTATE MANAGEMENT</td>
<td>51,431</td>
<td>51,431</td>
<td>51,431</td>
<td>0</td>
<td>51,431</td>
</tr>
<tr>
<td>490</td>
<td>BASE OPERATIONS SUPPORT (SERVICEWIDE SUPPORT)</td>
<td>1,167,160</td>
<td>1,147,160</td>
<td>1,167,160</td>
<td>0</td>
<td>1,167,160</td>
</tr>
<tr>
<td>490</td>
<td>FACILITIES SUSTAINMENT, RESTORATION &amp; MODERNIZATION (SERVICEWIDE SUPPORT)</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>500</td>
<td>SUPPORT OF OTHER NATIONS</td>
<td>277,609</td>
<td>277,609</td>
<td>277,609</td>
<td>0</td>
<td>277,609</td>
</tr>
<tr>
<td>540</td>
<td>INTERNATIONAL MILITARY HEADQUARTERS</td>
<td>180,812</td>
<td>133,812</td>
<td>180,812</td>
<td>0</td>
<td>180,812</td>
</tr>
<tr>
<td>540</td>
<td>MISC. SUPPORT OF OTHER NATIONS</td>
<td>54,344</td>
<td>54,344</td>
<td>54,344</td>
<td>0</td>
<td>54,344</td>
</tr>
<tr>
<td>520</td>
<td>EXPANSION OF NATO</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
</tbody>
</table>

**TOTAL, BUDGET ACTIVITY 4:**

6,242,937  6,113,297  6,242,337  -53,400  6,189,537

ARMY INSTALLATION SECURITY         0        77,700   77,700   0
OVERSTATED CIVILIAN BUYOUT COSTS   0        -49,640  -26,240  -26,240
CLASSIFIED PROGRAM                 0        20,000   20,000   0
CIVILIAN HIRE/EXECUTION            0        51,360   17,545   17,545
FOREIGN CURRENCY FLUCTUATIONS     0        -89,159 -118,283 -118,283
REDUCTION IN STRATEGIC SOURCING   -8,366   0        0        0
INFORMATION TECHNOLOGY SYSTEM, ARMY 0       -20,600  25,000  25,000
### Title III - Operation & Maintenance

(Dollars in Thousands)

<table>
<thead>
<tr>
<th>Line</th>
<th>Activity/Subactivity</th>
<th>FY 2002 Request</th>
<th>House Authorized</th>
<th>Senate Authorized</th>
<th>Change</th>
<th>Conference Change</th>
<th>Conference Authorized</th>
</tr>
</thead>
<tbody>
<tr>
<td>0</td>
<td>CONSULTANTS, ARMY</td>
<td>25,000</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td></td>
</tr>
<tr>
<td>0</td>
<td>DEFENSE LANGUAGE INSTITUTE FOREIGN LANGUAGE CENTER</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td></td>
</tr>
<tr>
<td>0</td>
<td>MANAGEMENT REFORM INITIATIVES</td>
<td>0</td>
<td>0</td>
<td>-294,571</td>
<td>-294,571</td>
<td>0</td>
<td></td>
</tr>
<tr>
<td>0</td>
<td>Total Operation and Maintenance, Army</td>
<td>21,191,680</td>
<td>21,015,780</td>
<td>21,146,882</td>
<td>-530,139</td>
<td>20,615,741</td>
<td></td>
</tr>
<tr>
<td>0</td>
<td>Operation and Maintenance, Navy</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>0</td>
<td><strong>BUDGET ACTIVITY D1: OPERATING FORCES</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>0</td>
<td>AIR OPERATIONS</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>10</td>
<td>MISSION AND OTHER FLIGHT OPERATIONS</td>
<td>3,206,849</td>
<td>3,206,849</td>
<td>3,206,849</td>
<td>0</td>
<td>3,206,849</td>
<td></td>
</tr>
<tr>
<td>20</td>
<td>FIELD AIR TRAINING</td>
<td>950,969</td>
<td>950,969</td>
<td>950,969</td>
<td>0</td>
<td>950,969</td>
<td></td>
</tr>
<tr>
<td>30</td>
<td>INTERMEDIATE MAINTENANCE</td>
<td>62,487</td>
<td>62,487</td>
<td>62,487</td>
<td>0</td>
<td>62,487</td>
<td></td>
</tr>
<tr>
<td>40</td>
<td>AIR OPERATIONS AND SAFETY SUPPORT</td>
<td>103,355</td>
<td>103,355</td>
<td>103,355</td>
<td>0</td>
<td>103,355</td>
<td></td>
</tr>
<tr>
<td>50</td>
<td>AIRCRAFT DEPOT MAINTENANCE</td>
<td>854,298</td>
<td>854,298</td>
<td>854,298</td>
<td>0</td>
<td>854,298</td>
<td></td>
</tr>
<tr>
<td>60</td>
<td>AIRCRAFT DEPOT OPERATIONS SUPPORT</td>
<td>54,194</td>
<td>54,194</td>
<td>54,194</td>
<td>0</td>
<td>54,194</td>
<td></td>
</tr>
<tr>
<td>0</td>
<td>SHIP OPERATIONS</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>70</td>
<td>MISSION AND OTHER SHIP OPERATIONS</td>
<td>2,315,172</td>
<td>2,315,172</td>
<td>2,315,172</td>
<td>0</td>
<td>2,315,172</td>
<td></td>
</tr>
<tr>
<td>80</td>
<td>SHIP OPERATIONAL SUPPORT AND TRAINING</td>
<td>545,279</td>
<td>545,279</td>
<td>545,279</td>
<td>0</td>
<td>545,279</td>
<td></td>
</tr>
<tr>
<td>90</td>
<td>INTERMEDIATE MAINTENANCE</td>
<td>387,282</td>
<td>387,282</td>
<td>387,282</td>
<td>0</td>
<td>387,282</td>
<td></td>
</tr>
<tr>
<td>100</td>
<td>SHIP DEPOT MAINTENANCE</td>
<td>2,917,829</td>
<td>2,917,829</td>
<td>2,993,229</td>
<td>0</td>
<td>2,917,829</td>
<td></td>
</tr>
<tr>
<td>110</td>
<td>SHIP DEPOT OPERATIONS SUPPORT</td>
<td>1,330,524</td>
<td>1,330,524</td>
<td>1,330,524</td>
<td>0</td>
<td>1,330,524</td>
<td></td>
</tr>
<tr>
<td>110a</td>
<td>AS45 Overhauls</td>
<td>0</td>
<td>9,400</td>
<td></td>
<td>4,500</td>
<td>4,500</td>
<td></td>
</tr>
<tr>
<td>110b</td>
<td>Shipyard Apprentice Program</td>
<td>0</td>
<td>4,600</td>
<td></td>
<td>0</td>
<td>0</td>
<td></td>
</tr>
</tbody>
</table>

**COMBAT OPERATIONS/SUPPORT**
### Title III - Operation & Maintenance

*(Dollars in Thousands)*

<table>
<thead>
<tr>
<th>Line</th>
<th>Activity/Subactivity</th>
<th>FY 2002 Request</th>
<th>House Authorized</th>
<th>Senate Authorized</th>
<th>Conference Change</th>
<th>Conference Authorized</th>
</tr>
</thead>
<tbody>
<tr>
<td>120</td>
<td>COMBAT COMMUNICATIONS</td>
<td>384,534</td>
<td>384,534</td>
<td>384,534</td>
<td>0</td>
<td>384,534</td>
</tr>
<tr>
<td>130</td>
<td>ELECTRONIC WARFARE</td>
<td>15,466</td>
<td>15,466</td>
<td>15,466</td>
<td>0</td>
<td>15,466</td>
</tr>
<tr>
<td>140</td>
<td>SPACE SYSTEMS &amp; SURVEILLANCE</td>
<td>182,165</td>
<td>182,165</td>
<td>182,165</td>
<td>0</td>
<td>182,165</td>
</tr>
<tr>
<td>150</td>
<td>WARFARE TACTICS</td>
<td>163,864</td>
<td>163,864</td>
<td>163,864</td>
<td>0</td>
<td>163,864</td>
</tr>
<tr>
<td>160</td>
<td>OPERATIONAL METEOROLOGY &amp; OCEANOGRAPHY</td>
<td>258,051</td>
<td>258,051</td>
<td>258,051</td>
<td>0</td>
<td>258,051</td>
</tr>
<tr>
<td>170</td>
<td>COMBAT SUPPORT FORCES</td>
<td>618,874</td>
<td>618,874</td>
<td>618,874</td>
<td>0</td>
<td>618,874</td>
</tr>
<tr>
<td>180</td>
<td>EQUIPMENT MAINTENANCE</td>
<td>173,381</td>
<td>173,381</td>
<td>173,381</td>
<td>0</td>
<td>173,381</td>
</tr>
<tr>
<td>190</td>
<td>DEFOL OPERATIONS SUPPORT</td>
<td>1,717</td>
<td>1,717</td>
<td>1,717</td>
<td>0</td>
<td>1,717</td>
</tr>
<tr>
<td>200</td>
<td>WEAPONS SUPPORT</td>
<td>124,342</td>
<td>124,342</td>
<td>124,342</td>
<td>0</td>
<td>124,342</td>
</tr>
<tr>
<td>210</td>
<td>CRUISE MISSILE</td>
<td>812,743</td>
<td>812,743</td>
<td>812,743</td>
<td>0</td>
<td>812,743</td>
</tr>
<tr>
<td>220</td>
<td>FLEET BALLISTIC MISSILE</td>
<td>47,762</td>
<td>47,762</td>
<td>47,762</td>
<td>0</td>
<td>47,762</td>
</tr>
<tr>
<td>230</td>
<td>IN SERVICE WEAPONS SYSTEMS SUPPORT</td>
<td>396,836</td>
<td>396,836</td>
<td>396,836</td>
<td>0</td>
<td>396,836</td>
</tr>
<tr>
<td>240</td>
<td>WEAPONS MAINTENANCE</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>250</td>
<td>WORKING CAPITAL FUND SUPPORT</td>
<td>1,421</td>
<td>1,421</td>
<td>1,421</td>
<td>0</td>
<td>1,421</td>
</tr>
<tr>
<td>260</td>
<td>BASE SUPPORT</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>270</td>
<td>FACILITIES SUST, REST &amp; MOD</td>
<td>1,019,891</td>
<td>1,019,891</td>
<td>1,019,891</td>
<td>0</td>
<td>1,019,891</td>
</tr>
<tr>
<td>280</td>
<td>BASE SUPPORT</td>
<td>2,572,092</td>
<td>2,572,092</td>
<td>2,572,092</td>
<td>0</td>
<td>2,572,092</td>
</tr>
<tr>
<td>290</td>
<td>TOTAL, BUDGET ACTIVITY 1:</td>
<td>19,501,397</td>
<td>19,501,397</td>
<td>19,589,797</td>
<td>4,506</td>
<td>19,505,897</td>
</tr>
<tr>
<td>290a</td>
<td>BUDGET ACTIVITY 2: MOBILIZATION</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>290a</td>
<td>SHIP PREPOSITIONING AND SURGE</td>
<td>506,394</td>
<td>506,394</td>
<td>506,394</td>
<td>0</td>
<td>506,394</td>
</tr>
<tr>
<td>300</td>
<td>AIRCRAFT ACTIVATIONS/INACTIVATIONS</td>
<td>5,506</td>
<td>5,506</td>
<td>5,506</td>
<td>0</td>
<td>5,506</td>
</tr>
<tr>
<td>310</td>
<td>SHIP ACTIVATIONS/INACTIVATIONS</td>
<td>261,649</td>
<td>261,649</td>
<td>261,649</td>
<td>0</td>
<td>261,649</td>
</tr>
<tr>
<td></td>
<td>SSBN Inactivation</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
Title III - Operation & Maintenance
(Dollars in Thousands)

<table>
<thead>
<tr>
<th>Line</th>
<th>Activity/Subactivity</th>
<th>FY 2002 Budgeted</th>
<th>House Authorized</th>
<th>Senate Authorized</th>
<th>Conference Change</th>
<th>Conference Authorized</th>
</tr>
</thead>
<tbody>
<tr>
<td>100</td>
<td>FLEET HOSPITAL PROGRAM</td>
<td>23,803</td>
<td>23,803</td>
<td>23,803</td>
<td>0</td>
<td>23,803</td>
</tr>
<tr>
<td>110</td>
<td>INDUSTRIAL READINESS</td>
<td>1,177</td>
<td>1,177</td>
<td>1,177</td>
<td>0</td>
<td>1,177</td>
</tr>
<tr>
<td>120</td>
<td>COAST GUARD SUPPORT</td>
<td>17,490</td>
<td>17,490</td>
<td>17,490</td>
<td>0</td>
<td>17,490</td>
</tr>
<tr>
<td></td>
<td><strong>Total, Budget Activity 1:</strong></td>
<td><strong>816,019</strong></td>
<td><strong>816,019</strong></td>
<td><strong>799,019</strong></td>
<td><strong>-17,000</strong></td>
<td><strong>799,019</strong></td>
</tr>
<tr>
<td></td>
<td><strong>Budget Activity 03: Training and Recruiting:</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>330</td>
<td>OFFICER ACQUISITION</td>
<td>96,581</td>
<td>96,581</td>
<td>96,581</td>
<td>0</td>
<td>96,581</td>
</tr>
<tr>
<td>340</td>
<td>RECRUIT TRAINING</td>
<td>6,724</td>
<td>6,724</td>
<td>6,724</td>
<td>0</td>
<td>6,724</td>
</tr>
<tr>
<td>350</td>
<td>RESERVE OFFICERS TRAINING CORPS</td>
<td>79,526</td>
<td>79,526</td>
<td>79,526</td>
<td>0</td>
<td>79,526</td>
</tr>
<tr>
<td>360</td>
<td><strong>Basic Skills and Advanced Training:</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>370</td>
<td>SPECIALIZED SKILL TRAINING</td>
<td>306,012</td>
<td>306,012</td>
<td>306,012</td>
<td>0</td>
<td>306,012</td>
</tr>
<tr>
<td>380</td>
<td>FLIGHT TRAINING</td>
<td>367,313</td>
<td>367,313</td>
<td>367,313</td>
<td>0</td>
<td>367,313</td>
</tr>
<tr>
<td>390</td>
<td>PROFESSIONAL DEVELOPMENT EDUCATION</td>
<td>111,404</td>
<td>111,404</td>
<td>111,404</td>
<td>0</td>
<td>111,404</td>
</tr>
<tr>
<td></td>
<td>380a AVIATION DEPOT APPRENTICESHIP PROGRAM</td>
<td>2,080</td>
<td>2,080</td>
<td>2,080</td>
<td>0</td>
<td>2,080</td>
</tr>
<tr>
<td>390</td>
<td>TRAINING SUPPORT</td>
<td>192,931</td>
<td>192,931</td>
<td>192,931</td>
<td>0</td>
<td>192,931</td>
</tr>
<tr>
<td>400</td>
<td><strong>Recruiting, and Other Training and Education:</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>410</td>
<td>OFF DUTY AND VOLUNTARY EDUCATION</td>
<td>238,727</td>
<td>238,727</td>
<td>238,727</td>
<td>0</td>
<td>238,727</td>
</tr>
<tr>
<td>420</td>
<td>CIVILIAN EDUCATION AND TRAINING</td>
<td>97,957</td>
<td>97,957</td>
<td>97,957</td>
<td>0</td>
<td>97,957</td>
</tr>
<tr>
<td>430</td>
<td>JUNIOR ROTC</td>
<td>59,745</td>
<td>59,745</td>
<td>59,745</td>
<td>0</td>
<td>59,745</td>
</tr>
<tr>
<td>440</td>
<td>BASE SUPPORT</td>
<td>32,519</td>
<td>32,519</td>
<td>32,519</td>
<td>0</td>
<td>32,519</td>
</tr>
<tr>
<td>450</td>
<td>FACILITIES SIST, REST &amp; MOD</td>
<td>195,939</td>
<td>195,939</td>
<td>195,939</td>
<td>0</td>
<td>195,939</td>
</tr>
<tr>
<td>460</td>
<td>BASE SUPPORT</td>
<td>365,425</td>
<td>365,425</td>
<td>365,425</td>
<td>0</td>
<td>365,425</td>
</tr>
</tbody>
</table>
### Title III - Operation & Maintenance

(Dollars in Thousands)

<table>
<thead>
<tr>
<th>Line</th>
<th>Activity/Subactivity</th>
<th>FY 2002 Request</th>
<th>House Authorized</th>
<th>Senate Authorized</th>
<th>Conference Change</th>
<th>Conference Authorized</th>
</tr>
</thead>
<tbody>
<tr>
<td>460</td>
<td>ADMINISTRATION</td>
<td>692,748</td>
<td>652,748</td>
<td>692,748</td>
<td>-40,000</td>
<td>652,748</td>
</tr>
<tr>
<td>470</td>
<td>EXTERNAL RELATIONS</td>
<td>4,131</td>
<td>4,131</td>
<td>4,131</td>
<td>0</td>
<td>4,131</td>
</tr>
<tr>
<td>480</td>
<td>CIVILIAN MANPOWER &amp; PERSONNEL MANAGEMENT</td>
<td>111,789</td>
<td>111,789</td>
<td>111,789</td>
<td>0</td>
<td>111,789</td>
</tr>
<tr>
<td>490</td>
<td>MILITARY MANPOWER &amp; PERSONNEL MANAGEMENT</td>
<td>94,896</td>
<td>94,896</td>
<td>94,896</td>
<td>0</td>
<td>94,896</td>
</tr>
<tr>
<td>500</td>
<td>OTHER PERSONNEL SUPPORT</td>
<td>195,729</td>
<td>195,729</td>
<td>195,729</td>
<td>0</td>
<td>195,729</td>
</tr>
<tr>
<td>510</td>
<td>SERVICEWIDE COMMUNICATIONS</td>
<td>601,354</td>
<td>603,354</td>
<td>601,354</td>
<td>0</td>
<td>601,354</td>
</tr>
<tr>
<td>520</td>
<td>MEDICAL ACTIVITIES</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>530</td>
<td>SERVICEWIDE TRANSPORTATION</td>
<td>185,483</td>
<td>185,483</td>
<td>185,483</td>
<td>0</td>
<td>185,483</td>
</tr>
<tr>
<td>540</td>
<td>ENVIRONMENTAL PROGRAMS</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>550</td>
<td>PLANNING, ENGINEERING &amp; DESIGN</td>
<td>343,754</td>
<td>337,154</td>
<td>343,754</td>
<td>-6,600</td>
<td>337,154</td>
</tr>
<tr>
<td>560</td>
<td>ACQUISITION AND PROGRAM MANAGEMENT</td>
<td>723,136</td>
<td>680,156</td>
<td>723,136</td>
<td>-43,000</td>
<td>680,156</td>
</tr>
<tr>
<td>570</td>
<td>AIR SYSTEMS SUPPORT</td>
<td>400,955</td>
<td>400,955</td>
<td>400,955</td>
<td>0</td>
<td>400,955</td>
</tr>
<tr>
<td>580</td>
<td>HLS, MECHANICAL &amp; ELECTRICAL SUPPORT</td>
<td>52,998</td>
<td>52,998</td>
<td>52,998</td>
<td>0</td>
<td>52,998</td>
</tr>
<tr>
<td>590</td>
<td>COMBAT/WEAPONS SYSTEMS</td>
<td>40,830</td>
<td>40,830</td>
<td>40,830</td>
<td>0</td>
<td>40,830</td>
</tr>
<tr>
<td>600</td>
<td>SPACE &amp; ELECTRONIC WARFARE SYSTEMS</td>
<td>54,639</td>
<td>54,639</td>
<td>54,639</td>
<td>0</td>
<td>54,639</td>
</tr>
<tr>
<td>610</td>
<td>SECURITY PROGRAMS</td>
<td>673,912</td>
<td>673,912</td>
<td>673,912</td>
<td>0</td>
<td>673,912</td>
</tr>
<tr>
<td>620</td>
<td>INTERNATIONAL HUMINTS &amp; AGENCIES</td>
<td>9,994</td>
<td>9,994</td>
<td>9,994</td>
<td>0</td>
<td>9,994</td>
</tr>
<tr>
<td>630</td>
<td>FACILITIES SUST., RUST &amp; MOD</td>
<td>102,588</td>
<td>102,588</td>
<td>102,588</td>
<td>0</td>
<td>102,588</td>
</tr>
<tr>
<td>640</td>
<td>BASE SUPPORT</td>
<td>202,247</td>
<td>202,247</td>
<td>202,247</td>
<td>0</td>
<td>202,247</td>
</tr>
<tr>
<td>650</td>
<td>CANCELLED ACCOUNT</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>660</td>
<td>PROBLEM DISBURSEMENTS</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
</tbody>
</table>
## Title III - Operation & Maintenance

(Dollars in Thousands)

<table>
<thead>
<tr>
<th>Line</th>
<th>Activity/Subactivity</th>
<th>FY 2002 Request</th>
<th>House Authorized</th>
<th>Senate Authorized</th>
<th>Conference Change</th>
<th>Conference Authorized</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>TOTAL, BUDGET ACTIVITY 4.</td>
<td>4,493,133</td>
<td>4,405,533</td>
<td>4,495,133</td>
<td>-87,000</td>
<td>4,406,133</td>
</tr>
<tr>
<td></td>
<td>NAVOCAN/SURE EAGLE</td>
<td>0</td>
<td>4,000</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td></td>
<td>HANDHELD EXPLOSIVE DETECTORS</td>
<td>0</td>
<td>6,000</td>
<td>3,000</td>
<td>3,000</td>
<td>3,000</td>
</tr>
<tr>
<td></td>
<td>OVERSTATED CIVILIAN BUYOUT COSTS</td>
<td>0</td>
<td>-34,290</td>
<td>-22,140</td>
<td>-22,140</td>
<td>-22,140</td>
</tr>
<tr>
<td></td>
<td>CLASSIFIED PROGRAM</td>
<td>0</td>
<td>15,000</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td></td>
<td>CIVILIAN UNDEREXECUTION</td>
<td>0</td>
<td>-15,445</td>
<td>-23,901</td>
<td>-23,901</td>
<td>-23,901</td>
</tr>
<tr>
<td></td>
<td>FOREIGN CURRENCY FLUCTUATION</td>
<td>0</td>
<td>-32,600</td>
<td>-11,149</td>
<td>-11,149</td>
<td>-11,149</td>
</tr>
<tr>
<td></td>
<td>NAVY MARINE CORPS INTRANET</td>
<td>-125,000</td>
<td>-49,516</td>
<td>-54,276</td>
<td>-54,276</td>
<td>-54,276</td>
</tr>
<tr>
<td></td>
<td>REDUCTION IN STRATEGIC SOURCING (A-76)</td>
<td>-53,560</td>
<td>0</td>
<td>-37,000</td>
<td>-37,000</td>
<td>-37,000</td>
</tr>
<tr>
<td></td>
<td>INFORMATION TECHNOLOGY CENTER</td>
<td>-35,000</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td></td>
<td>ENTERPRISE RESOURCE PLANNING</td>
<td>-33,000</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td></td>
<td>WAGE GRADE EMPLOYEES</td>
<td>3,560</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td></td>
<td>INFORMATION TECHNOLOGY SYSTEM, NAVY</td>
<td>-20,000</td>
<td>0</td>
<td>-25,000</td>
<td>-25,000</td>
<td>-25,000</td>
</tr>
<tr>
<td></td>
<td>CONSULTANTS, NAVY</td>
<td>-25,000</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td></td>
<td>CRITICAL INFRASTRUCTURE PROTECTION</td>
<td>-25,000</td>
<td>0</td>
<td>-25,000</td>
<td>-25,000</td>
<td>-25,000</td>
</tr>
<tr>
<td></td>
<td>VETERANS AFFAIRS RENOVATIONS/GREAT LAKES</td>
<td>0</td>
<td>[6,000]</td>
<td>[6,000]</td>
<td>[6,000]</td>
<td>[6,000]</td>
</tr>
<tr>
<td></td>
<td>UNITED THROUGH READING PROGRAM</td>
<td>180</td>
<td>0</td>
<td>180</td>
<td>180</td>
<td>180</td>
</tr>
<tr>
<td></td>
<td>MANAGEMENT REFORM INITIATIVES</td>
<td>0</td>
<td>0</td>
<td>-232,297</td>
<td>-232,297</td>
<td>-232,297</td>
</tr>
<tr>
<td></td>
<td>Total Operation and Maintenance, Navy</td>
<td>26,961,382</td>
<td>26,587,962</td>
<td>26,927,931</td>
<td>-500,083</td>
<td>26,461,299</td>
</tr>
</tbody>
</table>

### Operation and Maintenance, Marine Corps

#### BUDGET ACTIVITY 41: OPERATING FORCES

<table>
<thead>
<tr>
<th>Line</th>
<th>10</th>
<th>OPERATIONAL FORCES</th>
<th>459,739</th>
<th>459,739</th>
<th>459,739</th>
<th>0</th>
<th>459,739</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>10a</td>
<td>Initial Issue</td>
<td>0</td>
<td>0</td>
<td>15,000</td>
<td>7,300</td>
<td>7,300</td>
</tr>
<tr>
<td></td>
<td>20</td>
<td>HILL LOGISTICS</td>
<td>257,952</td>
<td>257,952</td>
<td>257,952</td>
<td>0</td>
<td>257,952</td>
</tr>
</tbody>
</table>
### Title III - Operation & Maintenance

(Dollars in Thousands)

<table>
<thead>
<tr>
<th>Line</th>
<th>Activity/Subactivity</th>
<th>FY 2002 Request</th>
<th>House Authorized</th>
<th>Senate Authorized</th>
<th>Conference Change</th>
<th>Conference Authorized</th>
</tr>
</thead>
<tbody>
<tr>
<td>30</td>
<td>DEPOT MAINTENANCE</td>
<td>107,849</td>
<td>107,849</td>
<td>122,249</td>
<td>0</td>
<td>107,849</td>
</tr>
<tr>
<td>40</td>
<td>BASE SUPPORT</td>
<td>842,631</td>
<td>842,631</td>
<td>842,631</td>
<td>0</td>
<td>842,631</td>
</tr>
<tr>
<td>50</td>
<td>FACILITIES SUST, REST &amp; MOD</td>
<td>363,528</td>
<td>363,528</td>
<td>363,528</td>
<td>0</td>
<td>363,528</td>
</tr>
<tr>
<td>60</td>
<td>MARITIME PREPOSITIONING</td>
<td>83,506</td>
<td>83,506</td>
<td>83,506</td>
<td>0</td>
<td>83,506</td>
</tr>
<tr>
<td>70</td>
<td>NORWAY PREPOSITIONING</td>
<td>5,169</td>
<td>5,169</td>
<td>5,169</td>
<td>0</td>
<td>5,169</td>
</tr>
<tr>
<td></td>
<td><strong>TOTAL, BUDGET ACTIVITY 1:</strong></td>
<td><strong>2,120,374</strong></td>
<td><strong>2,120,374</strong></td>
<td><strong>2,149,774</strong></td>
<td><strong>7,300</strong></td>
<td><strong>2,127,074</strong></td>
</tr>
<tr>
<td></td>
<td><strong>BUDGET ACTIVITY 03: TRAINING AND RECRUITING</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td><strong>ACCESSION TRAINING</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>80</td>
<td>RECRUIT TRAINING</td>
<td>11,053</td>
<td>11,053</td>
<td>11,053</td>
<td>0</td>
<td>11,053</td>
</tr>
<tr>
<td>90</td>
<td>OFFICER ACQUISITION</td>
<td>317</td>
<td>317</td>
<td>317</td>
<td>0</td>
<td>317</td>
</tr>
<tr>
<td>100</td>
<td>BASE SUPPORT</td>
<td>62,053</td>
<td>62,053</td>
<td>62,053</td>
<td>0</td>
<td>62,053</td>
</tr>
<tr>
<td></td>
<td><strong>BASIC SKILLS AND ADVANCED TRAINING</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>120</td>
<td>SPECIALIZED SKILLS TRAINING</td>
<td>32,280</td>
<td>32,280</td>
<td>32,280</td>
<td>0</td>
<td>32,280</td>
</tr>
<tr>
<td>130</td>
<td>FLIGHT TRAINING</td>
<td>170</td>
<td>170</td>
<td>170</td>
<td>0</td>
<td>170</td>
</tr>
<tr>
<td>140</td>
<td>PROFESSIONAL DEVELOPMENT EDUCATION</td>
<td>8,553</td>
<td>8,553</td>
<td>8,553</td>
<td>0</td>
<td>8,553</td>
</tr>
<tr>
<td>150</td>
<td>TRAINING SUPPORT</td>
<td>95,066</td>
<td>95,066</td>
<td>95,066</td>
<td>0</td>
<td>95,066</td>
</tr>
<tr>
<td>160</td>
<td>BASE SUPPORT</td>
<td>65,140</td>
<td>65,140</td>
<td>65,140</td>
<td>0</td>
<td>65,140</td>
</tr>
<tr>
<td>170</td>
<td>FACILITIES SUST, REST &amp; MOD</td>
<td>28,078</td>
<td>28,078</td>
<td>28,078</td>
<td>0</td>
<td>28,078</td>
</tr>
<tr>
<td></td>
<td><strong>RECRUITING AND OTHER TRAINING EDUCATION</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>180</td>
<td>RECRUITING AND ADVERTISING</td>
<td>109,012</td>
<td>109,012</td>
<td>109,012</td>
<td>0</td>
<td>109,012</td>
</tr>
<tr>
<td>190</td>
<td>OFF DUTY AND VOLUNTARY EDUCATION</td>
<td>24,994</td>
<td>24,994</td>
<td>24,994</td>
<td>0</td>
<td>24,994</td>
</tr>
<tr>
<td>200</td>
<td>JUNIOR ROTC</td>
<td>12,808</td>
<td>12,808</td>
<td>12,808</td>
<td>0</td>
<td>12,808</td>
</tr>
<tr>
<td>210</td>
<td>BASE SUPPORT</td>
<td>12,209</td>
<td>12,209</td>
<td>12,209</td>
<td>0</td>
<td>12,209</td>
</tr>
<tr>
<td>220</td>
<td>FACILITIES SUST, REST &amp; MOD</td>
<td>2,644</td>
<td>2,644</td>
<td>2,644</td>
<td>0</td>
<td>2,644</td>
</tr>
<tr>
<td>Line</td>
<td>Activity/Subactivity</td>
<td>FY 2002 Request</td>
<td>House Authorized</td>
<td>Senate Authorized</td>
<td>Conference Change</td>
<td>Conference Authorized</td>
</tr>
<tr>
<td>------</td>
<td>----------------------</td>
<td>-----------------</td>
<td>-----------------</td>
<td>------------------</td>
<td>------------------</td>
<td>----------------------</td>
</tr>
<tr>
<td></td>
<td><strong>TOTAL, BUDGET ACTIVITY 3:</strong></td>
<td>483,664</td>
<td>483,664</td>
<td>483,664</td>
<td>0</td>
<td>483,664</td>
</tr>
<tr>
<td>230</td>
<td>SPECIAL SUPPORT</td>
<td>209,125</td>
<td>209,125</td>
<td>209,125</td>
<td>0</td>
<td>209,125</td>
</tr>
<tr>
<td>240</td>
<td>SERVICEWIDE TRANSPORTATION</td>
<td>31,118</td>
<td>31,118</td>
<td>31,118</td>
<td>0</td>
<td>31,118</td>
</tr>
<tr>
<td>250</td>
<td>ADMINISTRATION</td>
<td>29,895</td>
<td>29,895</td>
<td>29,895</td>
<td>0</td>
<td>29,895</td>
</tr>
<tr>
<td>260</td>
<td>BASE SUPPORT</td>
<td>16,335</td>
<td>16,335</td>
<td>16,335</td>
<td>0</td>
<td>16,335</td>
</tr>
<tr>
<td>270</td>
<td>FACILITIES SUST., REST. &amp; MOD</td>
<td>1,803</td>
<td>1,803</td>
<td>1,803</td>
<td>0</td>
<td>1,803</td>
</tr>
<tr>
<td>280</td>
<td>CANCELLED ACCOUNT</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td></td>
<td>Full Spectrum Battle Equipment</td>
<td>6,300</td>
<td>6,300</td>
<td>6,800</td>
<td>6,800</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Reduction in Strategic Sourcing</td>
<td>1,000</td>
<td>1,000</td>
<td>0</td>
<td>0</td>
<td></td>
</tr>
<tr>
<td></td>
<td><strong>TOTAL, BUDGET ACTIVITY 4:</strong></td>
<td>288,276</td>
<td>294,976</td>
<td>288,276</td>
<td>6,800</td>
<td>295,076</td>
</tr>
<tr>
<td></td>
<td>CIVILIAN UNDEREXECUTION</td>
<td>0</td>
<td>-3,600</td>
<td>-1,231</td>
<td>1,231</td>
<td></td>
</tr>
<tr>
<td></td>
<td>FOREIGN CURRENCY FLUCTUATION</td>
<td>0</td>
<td>-1,329</td>
<td>-2,134</td>
<td>2,134</td>
<td></td>
</tr>
<tr>
<td></td>
<td>NAVY-MARINE CORPS INTRANET</td>
<td>0</td>
<td>-5,396</td>
<td>-5,915</td>
<td>-5,915</td>
<td></td>
</tr>
<tr>
<td></td>
<td>MANAGEMENT REFORM INITIATIVES</td>
<td>0</td>
<td>0</td>
<td>-24,610</td>
<td>-24,610</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Total Operation and Maintenance, Marine Corps</td>
<td>2,892,314</td>
<td>2,898,114</td>
<td>2,911,339</td>
<td>-19,790</td>
<td>2,871,524</td>
</tr>
</tbody>
</table>

**Operation and Maintenance, Air Force**

**BUDGET ACTIVITY 01: OPERATING FORCES**

**AIR OPERATIONS**

<table>
<thead>
<tr>
<th>Line</th>
<th>Activity/Subactivity</th>
<th>FY 2002 Request</th>
<th>House Authorized</th>
<th>Senate Authorized</th>
<th>Conference Change</th>
<th>Conference Authorized</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>PRIMARY COMBAT FORCES</td>
<td>3,247,230</td>
<td>3,247,230</td>
<td>3,247,230</td>
<td>0</td>
<td>3,247,230</td>
</tr>
</tbody>
</table>
### Title III - Operation & Maintenance

(Dollars in Thousands)

<table>
<thead>
<tr>
<th>Line</th>
<th>Activity/Subactivity</th>
<th>FY 2002 Request</th>
<th>House Authorized</th>
<th>Senate Authorized</th>
<th>Conference Change</th>
<th>Conference Authorized</th>
</tr>
</thead>
<tbody>
<tr>
<td>20</td>
<td>PRIMARY COMBAT WEAPONS</td>
<td>325,948</td>
<td>325,948</td>
<td>325,948</td>
<td>0</td>
<td>325,948</td>
</tr>
<tr>
<td>30</td>
<td>COMBAT ENHANCEMENT FORCES</td>
<td>234,838</td>
<td>234,838</td>
<td>234,838</td>
<td>0</td>
<td>234,838</td>
</tr>
<tr>
<td>40</td>
<td>AIR OPERATIONS TRAINING</td>
<td>1,227,042</td>
<td>1,227,042</td>
<td>1,227,042</td>
<td>0</td>
<td>1,227,042</td>
</tr>
<tr>
<td>50</td>
<td>DEPOT MAINTENANCE</td>
<td>1,361,089</td>
<td>1,361,089</td>
<td>1,361,089</td>
<td>0</td>
<td>1,361,089</td>
</tr>
<tr>
<td>60</td>
<td>COMBAT COMMUNICATIONS</td>
<td>1,356,865</td>
<td>1,356,865</td>
<td>1,356,865</td>
<td>0</td>
<td>1,356,865</td>
</tr>
<tr>
<td>70</td>
<td>BASE SUPPORT</td>
<td>2,212,409</td>
<td>2,212,409</td>
<td>2,212,409</td>
<td>0</td>
<td>2,212,409</td>
</tr>
<tr>
<td>80</td>
<td>FACILITIES SUST, REST &amp; MOD</td>
<td>835,329</td>
<td>835,329</td>
<td>835,329</td>
<td>0</td>
<td>835,329</td>
</tr>
</tbody>
</table>

**COMBAT RELATED OPERATIONS**

<table>
<thead>
<tr>
<th>Line</th>
<th>Activity/Subactivity</th>
<th>FY 2002 Request</th>
<th>House Authorized</th>
<th>Senate Authorized</th>
<th>Conference Change</th>
<th>Conference Authorized</th>
</tr>
</thead>
<tbody>
<tr>
<td>90</td>
<td>GLOBAL CH AND EARLY WARNING</td>
<td>843,735</td>
<td>843,735</td>
<td>843,735</td>
<td>0</td>
<td>843,735</td>
</tr>
<tr>
<td>100</td>
<td>NAVIGATION/WEATHER SUPPORT</td>
<td>170,965</td>
<td>170,965</td>
<td>170,965</td>
<td>0</td>
<td>170,965</td>
</tr>
<tr>
<td>110</td>
<td>OTHER COMBAT OPERATIONS SUPPORT PROGRAMS</td>
<td>404,665</td>
<td>404,665</td>
<td>404,665</td>
<td>0</td>
<td>404,665</td>
</tr>
<tr>
<td>120</td>
<td>JCS EXERCISES</td>
<td>37,839</td>
<td>37,839</td>
<td>37,839</td>
<td>0</td>
<td>37,839</td>
</tr>
<tr>
<td>130</td>
<td>MANAGEMENT/OPERATIONAL HEADQUARTERS</td>
<td>174,580</td>
<td>174,580</td>
<td>174,580</td>
<td>0</td>
<td>174,580</td>
</tr>
<tr>
<td>140</td>
<td>TACTICAL INTEL AND OTHER SPECIAL ACTIVITIES</td>
<td>228,775</td>
<td>228,775</td>
<td>228,775</td>
<td>0</td>
<td>228,775</td>
</tr>
</tbody>
</table>

**SPACE OPERATIONS**

<table>
<thead>
<tr>
<th>Line</th>
<th>Activity/Subactivity</th>
<th>FY 2002 Request</th>
<th>House Authorized</th>
<th>Senate Authorized</th>
<th>Conference Change</th>
<th>Conference Authorized</th>
</tr>
</thead>
<tbody>
<tr>
<td>150</td>
<td>LAUNCH FACILITIES</td>
<td>258,792</td>
<td>258,792</td>
<td>258,792</td>
<td>0</td>
<td>258,792</td>
</tr>
<tr>
<td>150a</td>
<td>Space Range Facilities</td>
<td>0</td>
<td>18,300</td>
<td>8,000</td>
<td>8,000</td>
<td></td>
</tr>
<tr>
<td>160</td>
<td>LAUNCH VEHICLES</td>
<td>147,510</td>
<td>147,510</td>
<td>147,510</td>
<td>0</td>
<td>147,510</td>
</tr>
<tr>
<td>170</td>
<td>SPACE CONTROL SYSTEMS</td>
<td>251,738</td>
<td>251,738</td>
<td>251,738</td>
<td>0</td>
<td>251,738</td>
</tr>
<tr>
<td>180</td>
<td>SATELLITE SYSTEMS</td>
<td>53,780</td>
<td>53,780</td>
<td>53,780</td>
<td>0</td>
<td>53,780</td>
</tr>
<tr>
<td>190</td>
<td>OTHER SPACE OPERATIONS</td>
<td>146,175</td>
<td>146,175</td>
<td>146,175</td>
<td>0</td>
<td>146,175</td>
</tr>
<tr>
<td>200</td>
<td>BASE SUPPORT</td>
<td>425,643</td>
<td>425,643</td>
<td>425,643</td>
<td>0</td>
<td>425,643</td>
</tr>
<tr>
<td>210</td>
<td>FACILITIES SUST, REST &amp; MOD</td>
<td>131,643</td>
<td>131,643</td>
<td>131,643</td>
<td>0</td>
<td>131,643</td>
</tr>
</tbody>
</table>

**TOTAL, BUDGET ACTIVITY I:**

<table>
<thead>
<tr>
<th>FY 2002 Request</th>
<th>House Authorized</th>
<th>Senate Authorized</th>
<th>Conference Change</th>
<th>Conference Authorized</th>
</tr>
</thead>
<tbody>
<tr>
<td>14,076,630</td>
<td>14,076,630</td>
<td>14,084,930</td>
<td>8,000</td>
<td>14,084,930</td>
</tr>
</tbody>
</table>
### Title III - Operation & Maintenance
(Dollars in Thousands)

<table>
<thead>
<tr>
<th>Line</th>
<th>Activity/Subactivity</th>
<th>FY 2002 Request</th>
<th>House Authorized</th>
<th>Senate Authorized</th>
<th>Conference Change</th>
<th>Conference Authorized</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td><strong>BUDGET ACTIVITY 02: MOBILIZATION</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>220</td>
<td>AIRLIFT OPERATIONS</td>
<td>2,056,383</td>
<td>2,056,383</td>
<td>2,056,383</td>
<td>0</td>
<td>2,056,383</td>
</tr>
<tr>
<td>230</td>
<td>AIRLIFT OPERATIONS CH</td>
<td>37,706</td>
<td>37,706</td>
<td>37,706</td>
<td>0</td>
<td>37,706</td>
</tr>
<tr>
<td>240</td>
<td>MOBILIZATION PREPAREDNESS</td>
<td>169,421</td>
<td>169,421</td>
<td>169,421</td>
<td>0</td>
<td>169,421</td>
</tr>
<tr>
<td>250</td>
<td>DEPOT MAINTENANCE</td>
<td>296,014</td>
<td>296,014</td>
<td>296,014</td>
<td>0</td>
<td>296,014</td>
</tr>
<tr>
<td>260</td>
<td>PAYMENTS TO TRANSPORTATION BUSINESS AREA</td>
<td>473,243</td>
<td>473,243</td>
<td>473,243</td>
<td>0</td>
<td>473,243</td>
</tr>
<tr>
<td>270</td>
<td>BASE SUPPORT</td>
<td>487,654</td>
<td>487,654</td>
<td>487,654</td>
<td>0</td>
<td>487,654</td>
</tr>
<tr>
<td>280</td>
<td>FACILITIES SUST, REST &amp; MOD</td>
<td>97,627</td>
<td>97,627</td>
<td>97,627</td>
<td>0</td>
<td>97,627</td>
</tr>
<tr>
<td></td>
<td><strong>TOTAL, BUDGET ACTIVITY 2:</strong></td>
<td>3,618,048</td>
<td>3,618,048</td>
<td>3,618,048</td>
<td>0</td>
<td>3,618,048</td>
</tr>
<tr>
<td></td>
<td><strong>BUDGET ACTIVITY 03: TRAINING AND RECRUITING</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>290</td>
<td>ACCESSION TRAINING</td>
<td>66,566</td>
<td>66,566</td>
<td>66,566</td>
<td>0</td>
<td>66,566</td>
</tr>
<tr>
<td>300</td>
<td>OFFICER ACQUISITION</td>
<td>5,943</td>
<td>5,943</td>
<td>5,943</td>
<td>0</td>
<td>5,943</td>
</tr>
<tr>
<td>310</td>
<td>RECRUIT TRAINING</td>
<td>64,289</td>
<td>64,289</td>
<td>64,289</td>
<td>0</td>
<td>64,289</td>
</tr>
<tr>
<td>320</td>
<td>BASE SUPPORT (ACADEMIES ONLY)</td>
<td>70,412</td>
<td>70,412</td>
<td>70,412</td>
<td>0</td>
<td>70,412</td>
</tr>
<tr>
<td>330</td>
<td>FACILITIES SUSTAINMENT, RESTORATION &amp; MODERNIZATION (ACADEMIES ONLY)</td>
<td>60,434</td>
<td>60,434</td>
<td>60,434</td>
<td>0</td>
<td>60,434</td>
</tr>
<tr>
<td></td>
<td><strong>BASIC SKILLS AND ADVANCED TRAINING</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>340</td>
<td>SPECIALIZED SKILL TRAINING</td>
<td>310,216</td>
<td>310,216</td>
<td>310,216</td>
<td>0</td>
<td>310,216</td>
</tr>
<tr>
<td>350</td>
<td>FLIGHT TRAINING</td>
<td>657,993</td>
<td>657,993</td>
<td>657,993</td>
<td>0</td>
<td>657,993</td>
</tr>
<tr>
<td>360</td>
<td>PROFESSIONAL DEVELOPMENT EDUCATION</td>
<td>115,049</td>
<td>115,049</td>
<td>115,049</td>
<td>0</td>
<td>115,049</td>
</tr>
<tr>
<td>370</td>
<td>TRAINING SUPPORT</td>
<td>83,778</td>
<td>83,778</td>
<td>83,778</td>
<td>0</td>
<td>83,778</td>
</tr>
</tbody>
</table>
### Title III - Operation & Maintenance

(Dollars in Thousands)

<table>
<thead>
<tr>
<th>Line</th>
<th>Activity/Subactivity</th>
<th>FY 2002 Request</th>
<th>House Authorized</th>
<th>Senate Authorized</th>
<th>Conference Change</th>
<th>Conference Authorized</th>
</tr>
</thead>
<tbody>
<tr>
<td>380</td>
<td>DEPOT MAINTENANCE</td>
<td>14,748</td>
<td>14,748</td>
<td>14,748</td>
<td>0</td>
<td>14,748</td>
</tr>
<tr>
<td>390</td>
<td>BASE SUPPLY (OTHER TRAINING)</td>
<td>543,005</td>
<td>543,005</td>
<td>543,005</td>
<td>0</td>
<td>543,005</td>
</tr>
<tr>
<td>400</td>
<td>FACILITIES SUSTAINMENT, RESTORATION &amp; MODERNIZATION (OTHER TRAINING)</td>
<td>148,663</td>
<td>148,663</td>
<td>148,663</td>
<td>0</td>
<td>148,663</td>
</tr>
</tbody>
</table>

**RECRUITING, AND OTHER TRAINING AND EDUCATION**

<table>
<thead>
<tr>
<th>Line</th>
<th>Activity/Subactivity</th>
<th>FY 2002 Request</th>
<th>House Authorized</th>
<th>Senate Authorized</th>
<th>Conference Change</th>
<th>Conference Authorized</th>
</tr>
</thead>
<tbody>
<tr>
<td>410</td>
<td>RECRUITING AND ADVERTISING</td>
<td>139,189</td>
<td>139,189</td>
<td>139,189</td>
<td>0</td>
<td>139,189</td>
</tr>
<tr>
<td>420</td>
<td>EXAMINING</td>
<td>3,640</td>
<td>3,640</td>
<td>3,640</td>
<td>0</td>
<td>3,640</td>
</tr>
<tr>
<td>430</td>
<td>OFF DUTY AND VOLUNTARY EDUCATION</td>
<td>91,757</td>
<td>91,757</td>
<td>91,757</td>
<td>0</td>
<td>91,757</td>
</tr>
<tr>
<td>440</td>
<td>CIVILIAN EDUCATION AND TRAINING</td>
<td>82,238</td>
<td>82,238</td>
<td>82,238</td>
<td>0</td>
<td>82,238</td>
</tr>
<tr>
<td>450</td>
<td>JUNIOR ROTC</td>
<td>41,829</td>
<td>41,829</td>
<td>41,829</td>
<td>0</td>
<td>41,829</td>
</tr>
</tbody>
</table>

**TOTAL, BUDGET ACTIVITY 3:**

2,499,749

### BUDGET ACTIVITY 4: ADMINISTRATION & SERVICEWIDE ACTIVITIES

**LOGISTICS OPERATIONS**

<table>
<thead>
<tr>
<th>Line</th>
<th>Activity/Subactivity</th>
<th>FY 2002 Request</th>
<th>House Authorized</th>
<th>Senate Authorized</th>
<th>Conference Change</th>
<th>Conference Authorized</th>
</tr>
</thead>
<tbody>
<tr>
<td>460</td>
<td>LOGISTICS OPERATIONS</td>
<td>1,052,171</td>
<td>1,052,171</td>
<td>1,052,171</td>
<td>0</td>
<td>1,052,171</td>
</tr>
<tr>
<td>460a</td>
<td>Aging Propulsion System Life Extension</td>
<td>10,000</td>
<td>10,000</td>
<td>0</td>
<td>10,000</td>
<td>10,000</td>
</tr>
<tr>
<td>470</td>
<td>TECHNICAL SUPPORT ACTIVITIES</td>
<td>404,678</td>
<td>404,678</td>
<td>404,678</td>
<td>0</td>
<td>404,678</td>
</tr>
<tr>
<td>480</td>
<td>SERVICEWIDE TRANSPORTATION</td>
<td>249,055</td>
<td>208,035</td>
<td>249,055</td>
<td>-20,000</td>
<td>279,055</td>
</tr>
<tr>
<td>490</td>
<td>DEPOT MAINTENANCE</td>
<td>305,325</td>
<td>305,325</td>
<td>305,325</td>
<td>0</td>
<td>305,325</td>
</tr>
<tr>
<td>500</td>
<td>BASE SUPPORT</td>
<td>1,115,273</td>
<td>1,115,273</td>
<td>1,115,273</td>
<td>0</td>
<td>1,115,273</td>
</tr>
<tr>
<td>510</td>
<td>FACILITIES SUST, REST &amp; MOD</td>
<td>239,442</td>
<td>239,442</td>
<td>239,442</td>
<td>0</td>
<td>239,442</td>
</tr>
</tbody>
</table>

**SERVICEWIDE ACTIVITIES**

<table>
<thead>
<tr>
<th>Line</th>
<th>Activity/Subactivity</th>
<th>FY 2002 Request</th>
<th>House Authorized</th>
<th>Senate Authorized</th>
<th>Conference Change</th>
<th>Conference Authorized</th>
</tr>
</thead>
<tbody>
<tr>
<td>520</td>
<td>ADMINISTRATION</td>
<td>213,767</td>
<td>160,767</td>
<td>213,767</td>
<td>-53,000</td>
<td>160,767</td>
</tr>
</tbody>
</table>
## Title III - Operation & Maintenance

(Dollars in Thousands)

<table>
<thead>
<tr>
<th>Line</th>
<th>Activity/Subactivity</th>
<th>FY 2002 Request</th>
<th>House Authorized</th>
<th>Senate Authorized</th>
<th>Conference Change</th>
<th>Conference Authorized</th>
</tr>
</thead>
<tbody>
<tr>
<td>530</td>
<td>SERVICEWIDE COMMUNICATIONS</td>
<td>342,864</td>
<td>302,864</td>
<td>342,864</td>
<td>8,000</td>
<td>334,864</td>
</tr>
<tr>
<td>540</td>
<td>PERSONNEL PROGRAMS</td>
<td>164,480</td>
<td>146,480</td>
<td>164,480</td>
<td>0</td>
<td>164,480</td>
</tr>
<tr>
<td>550</td>
<td>RESCUE AND RECOVERY SERVICES</td>
<td>72,375</td>
<td>72,375</td>
<td>72,375</td>
<td>0</td>
<td>72,375</td>
</tr>
<tr>
<td>560</td>
<td>ARMS CONTROL</td>
<td>34,742</td>
<td>34,742</td>
<td>34,742</td>
<td>0</td>
<td>34,742</td>
</tr>
<tr>
<td>570</td>
<td>OTHER SERVICEWIDE ACTIVITIES</td>
<td>602,561</td>
<td>591,161</td>
<td>602,561</td>
<td>-11,400</td>
<td>591,161</td>
</tr>
<tr>
<td>580</td>
<td>OTHER PERSONNEL SUPPORT</td>
<td>36,984</td>
<td>36,984</td>
<td>36,984</td>
<td>0</td>
<td>36,984</td>
</tr>
<tr>
<td>590</td>
<td>CIVIL AIR PATROL CORPORATION</td>
<td>18,303</td>
<td>18,303</td>
<td>18,303</td>
<td>0</td>
<td>18,303</td>
</tr>
<tr>
<td>610</td>
<td>BAMS, SUPPORT</td>
<td>233,256</td>
<td>233,256</td>
<td>233,256</td>
<td>0</td>
<td>233,256</td>
</tr>
<tr>
<td>611</td>
<td>FACILITIES SUST, REST &amp; MOD</td>
<td>21,792</td>
<td>21,792</td>
<td>21,792</td>
<td>0</td>
<td>21,792</td>
</tr>
<tr>
<td>620</td>
<td>SECURITY PROGRAMS</td>
<td>824,906</td>
<td>761,998</td>
<td>824,906</td>
<td>0</td>
<td>824,906</td>
</tr>
<tr>
<td>630</td>
<td>INTERNATIONAL SUPPORT</td>
<td>20,169</td>
<td>20,169</td>
<td>20,169</td>
<td>0</td>
<td>20,169</td>
</tr>
</tbody>
</table>

**TOTAL, BUDGET ACTIVITY 4:**

| | FY 2002 Request | House Authorized | Senate Authorized | Conference Change | Conference Authorized |
| | | | | | |
| | 5,952,343 | 5,728,035 | 5,956,843 | -82,400 | 5,864,943 |
Title III - Operation & Maintenance

(Dollars in Thousands)

<table>
<thead>
<tr>
<th>Line</th>
<th>Activity/Subactivity</th>
<th>FY 2002 Request</th>
<th>House Authorized</th>
<th>Senate Authorized</th>
<th>Conference Change</th>
<th>Conference Authorized</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>CONSULTANTS, AIR FORCE</td>
<td>25,000</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td></td>
<td>MANAGEMENT REFORM INITIATIVES</td>
<td>0</td>
<td>0</td>
<td>323,782</td>
<td>-323,782</td>
<td></td>
</tr>
<tr>
<td></td>
<td><strong>Total Operation and Maintenance, Air Force</strong></td>
<td>26,146,770</td>
<td>35,811,462</td>
<td>25,993,582</td>
<td>548,003</td>
<td>25,598,767</td>
</tr>
<tr>
<td></td>
<td><strong>Operation and Maintenance, Defense-wide</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td><strong>BUDGET ACTIVITY 1: OPERATING FORCES</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>10</td>
<td>JOINT CHIEFS OF STAFF</td>
<td>373,832</td>
<td>373,832</td>
<td>371,832</td>
<td>0</td>
<td>373,832</td>
</tr>
<tr>
<td>10a</td>
<td>CINC'S COMBATING TERRORISM READINESS FUND</td>
<td>0</td>
<td>10,000</td>
<td>10,000</td>
<td>10,000</td>
<td></td>
</tr>
<tr>
<td>20</td>
<td>SPECIAL OPERATIONS COMMAND</td>
<td>1,404,797</td>
<td>1,404,797</td>
<td>1,404,797</td>
<td>0</td>
<td>1,404,797</td>
</tr>
<tr>
<td>20a</td>
<td>SPECIAL OPERATIONS COUNTER-TERRORISM TRAINING</td>
<td>0</td>
<td>14,300</td>
<td>0</td>
<td>0</td>
<td></td>
</tr>
<tr>
<td>30</td>
<td>PROBLEM DISBURSEMENTS</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td></td>
</tr>
<tr>
<td></td>
<td><strong>TOTAL, BUDGET ACTIVITY 1:</strong></td>
<td>1,778,629</td>
<td>1,778,629</td>
<td>1,802,929</td>
<td>10,000</td>
<td>1,788,629</td>
</tr>
<tr>
<td></td>
<td><strong>BUDGET ACTIVITY 2: MOBILIZATION</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>50</td>
<td>DEFENSE LOGISTICS AGENCY</td>
<td>44,691</td>
<td>44,691</td>
<td>44,691</td>
<td>0</td>
<td>44,691</td>
</tr>
<tr>
<td></td>
<td><strong>TOTAL, BUDGET ACTIVITY 2:</strong></td>
<td>44,691</td>
<td>44,691</td>
<td>44,691</td>
<td>0</td>
<td>44,691</td>
</tr>
<tr>
<td></td>
<td><strong>BUDGET ACTIVITY 3: TRAINING AND RECRUITING</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>60</td>
<td>AMERICAN FORCES INFORMATION SERVICE</td>
<td>11,135</td>
<td>11,135</td>
<td>11,135</td>
<td>0</td>
<td>11,135</td>
</tr>
<tr>
<td>70</td>
<td>DEFENSE ACQUISITION UNIVERSITY</td>
<td>101,196</td>
<td>101,196</td>
<td>101,196</td>
<td>0</td>
<td>101,196</td>
</tr>
<tr>
<td>80</td>
<td>DEFENSE CONTRACT AUDIT AGENCY</td>
<td>3,833</td>
<td>3,833</td>
<td>3,833</td>
<td>0</td>
<td>3,833</td>
</tr>
<tr>
<td>90</td>
<td>DEFENSE FINANCE AND ACCOUNTING SERVICE</td>
<td>8,900</td>
<td>8,900</td>
<td>8,900</td>
<td>0</td>
<td>8,900</td>
</tr>
<tr>
<td>100</td>
<td>DEFENSE HUMAN RESOURCES ACTIVITY</td>
<td>86,190</td>
<td>86,190</td>
<td>86,190</td>
<td>0</td>
<td>86,190</td>
</tr>
<tr>
<td>110</td>
<td>DEFENSE SECURITY SERVICE</td>
<td>7,590</td>
<td>7,590</td>
<td>7,590</td>
<td>0</td>
<td>7,590</td>
</tr>
<tr>
<td>120</td>
<td>DEFENSE THREAT REDUCTION AGENCY</td>
<td>1,246</td>
<td>1,246</td>
<td>1,246</td>
<td>0</td>
<td>1,246</td>
</tr>
<tr>
<td>130</td>
<td>SPECIAL OPERATIONS COMMAND</td>
<td>53,573</td>
<td>53,573</td>
<td>53,573</td>
<td>0</td>
<td>53,573</td>
</tr>
</tbody>
</table>
### Title III - Operation & Maintenance

(Dollars in Thousands)

<table>
<thead>
<tr>
<th>Line</th>
<th>Activity/Subactivity</th>
<th>FY 2002 Request</th>
<th>House Authorized</th>
<th>Senate Authorized</th>
<th>Conference Change</th>
<th>Conference Authorized</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>TOTAL, BUDGET ACTIVITY 3:</td>
<td>273,663</td>
<td>273,663</td>
<td>273,663</td>
<td>0</td>
<td>273,663</td>
</tr>
<tr>
<td>140</td>
<td>AMERICAN FORCES INFORMATION SERVICE</td>
<td>96,637</td>
<td>96,637</td>
<td>96,637</td>
<td>0</td>
<td>96,637</td>
</tr>
<tr>
<td>150</td>
<td>CIVIL MILITARY PROGRAMS</td>
<td>94,596</td>
<td>94,596</td>
<td>94,596</td>
<td>0</td>
<td>94,596</td>
</tr>
<tr>
<td>160</td>
<td>CLASSIFIED PROGRAMS</td>
<td>4,718,802</td>
<td>4,718,802</td>
<td>4,666,002</td>
<td>0</td>
<td>4,718,802</td>
</tr>
<tr>
<td>170</td>
<td>DEFENSE CONTRACT AUDIT AGENCY</td>
<td>354,348</td>
<td>346,948</td>
<td>354,348</td>
<td>-5,000</td>
<td>349,348</td>
</tr>
<tr>
<td>180</td>
<td>DEFENSE CONTRACT MANAGEMENT AGENCY</td>
<td>948,932</td>
<td>942,032</td>
<td>948,932</td>
<td>-1,000</td>
<td>947,932</td>
</tr>
<tr>
<td>190</td>
<td>DEFENSE FINANCE AND ACCOUNTING SERVICE</td>
<td>1,492</td>
<td>1,492</td>
<td>1,492</td>
<td>0</td>
<td>1,492</td>
</tr>
<tr>
<td>200</td>
<td>DEFENSE HUMAN RESOURCES ACTIVITY</td>
<td>198,157</td>
<td>174,157</td>
<td>198,157</td>
<td>-24,000</td>
<td>174,157</td>
</tr>
<tr>
<td>210</td>
<td>DEFENSE INFORMATION SYSTEMS AGENCY</td>
<td>801,122</td>
<td>762,122</td>
<td>778,422</td>
<td>-11,300</td>
<td>791,622</td>
</tr>
<tr>
<td>220</td>
<td>DEFENSE LOGISTICS AGENCY</td>
<td>191,990</td>
<td>191,990</td>
<td>191,990</td>
<td>0</td>
<td>191,990</td>
</tr>
<tr>
<td>220a</td>
<td>Defense Wide, Other Logistics Programs</td>
<td></td>
<td>-3,500</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>220b</td>
<td>CTMA Depot level Activity</td>
<td></td>
<td>20,000</td>
<td>0</td>
<td>20,000</td>
<td>20,000</td>
</tr>
<tr>
<td>230</td>
<td>DEFENSE LEGAL SERVICES AGENCY</td>
<td>12,075</td>
<td>12,075</td>
<td>12,075</td>
<td>0</td>
<td>12,075</td>
</tr>
<tr>
<td>240</td>
<td>DEPT OF DEFENSE DEPENDENTS EDUCATION</td>
<td>1,465,814</td>
<td>1,465,814</td>
<td>1,465,814</td>
<td>0</td>
<td>1,465,814</td>
</tr>
<tr>
<td>250</td>
<td>DEFENSE POW/MISSING PERSONS OFFICE</td>
<td>15,211</td>
<td>15,211</td>
<td>15,211</td>
<td>0</td>
<td>15,211</td>
</tr>
<tr>
<td>250a</td>
<td>Travel for Families of Korean/Cold War Missing</td>
<td></td>
<td>1,000</td>
<td>0</td>
<td>1,000</td>
<td>1,000</td>
</tr>
<tr>
<td>260</td>
<td>DEFENSE SECURITY COOPERATION AGENCY</td>
<td>65,211</td>
<td>58,111</td>
<td>65,211</td>
<td>-6,000</td>
<td>59,211</td>
</tr>
<tr>
<td>270</td>
<td>DEFENSE SECURITY SERVICE</td>
<td>87,118</td>
<td>87,118</td>
<td>87,118</td>
<td>0</td>
<td>87,118</td>
</tr>
<tr>
<td>280</td>
<td>DEFENSE THREAT REDUCTION AGENCY</td>
<td>258,597</td>
<td>253,697</td>
<td>258,597</td>
<td>-4,000</td>
<td>254,597</td>
</tr>
<tr>
<td>290</td>
<td>OFFICE OF ECONOMIC ADJUSTMENT</td>
<td>16,972</td>
<td>16,972</td>
<td>16,972</td>
<td>0</td>
<td>16,972</td>
</tr>
<tr>
<td>300</td>
<td>OFFICE OF THE SECRETARY OF DEFENSE</td>
<td>437,141</td>
<td>417,741</td>
<td>437,141</td>
<td>0</td>
<td>437,141</td>
</tr>
<tr>
<td>300a</td>
<td>TRANSFER FROM P3671018Z</td>
<td>0</td>
<td>30,500</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>300b</td>
<td>INFORMATION ASSURANCE SCHOLARSHIPS-Transfer</td>
<td>0</td>
<td>1,500</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>300c</td>
<td>INFORMATION ASSURANCE SCHOLARSHIPS-Addition</td>
<td>0</td>
<td>3,500</td>
<td>0</td>
<td>3,500</td>
<td>3,500</td>
</tr>
</tbody>
</table>
## Title III - Operation & Maintenance

(Dollars in Thousands)

<table>
<thead>
<tr>
<th>Line</th>
<th>Activity/Subactivity</th>
<th>FY 2002 Request</th>
<th>House Authorized</th>
<th>Senate Authorized</th>
<th>Conference Change</th>
<th>Conference Authorized</th>
</tr>
</thead>
<tbody>
<tr>
<td>200a</td>
<td>LEGACY RESOURCE MANAGEMENT PROGRAM</td>
<td>2,000</td>
<td>8,000</td>
<td>6,500</td>
<td>6,500</td>
<td></td>
</tr>
<tr>
<td>300c</td>
<td>WAGE GRADE EMPLOYEES</td>
<td>1,260</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td></td>
</tr>
<tr>
<td>310</td>
<td>SPECIAL OPERATIONS COMMAND</td>
<td>46,891</td>
<td>40,891</td>
<td>-6,000</td>
<td>-6,000</td>
<td></td>
</tr>
<tr>
<td>320</td>
<td>SPECIAL ACTIVITIES</td>
<td>115,000</td>
<td>115,000</td>
<td>0</td>
<td>115,000</td>
<td></td>
</tr>
<tr>
<td>330</td>
<td>JOINT CHIEFS OF STAFF</td>
<td>169,340</td>
<td>159,840</td>
<td>0</td>
<td>169,340</td>
<td></td>
</tr>
<tr>
<td>340</td>
<td>WASHINGTON HEADQUARTERS SERVICES</td>
<td>324,202</td>
<td>280,202</td>
<td>-44,000</td>
<td>-44,000</td>
<td></td>
</tr>
<tr>
<td>350</td>
<td>PROBLEM DISBURSEMENTS</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td></td>
</tr>
<tr>
<td></td>
<td>TOTAL, BUDGET ACTIVITY 4:</td>
<td>10,431,648</td>
<td>10,278,208</td>
<td>-153,448</td>
<td>-153,448</td>
<td></td>
</tr>
</tbody>
</table>

- **Commercial Imagery Initiative:**
  - 31,000
  - 35,000
  - 11,000
  - 31,000

- **Impact Aid:**
  - 31,000
  - 35,000
  - 11,000
  - 31,000

- **Impact Aid - Children with Disabilities:**
  - 5,000
  - 5,000
  - 5,000

- **Overstated Civilian Buyout Costs:**
  - -21,590
  - -13,940
  - -13,940

- **Civillian Unrereceivables:**
  - 0
  - 29,400
  - -10,055
  - -10,055

- **Foreign Currency Fluctuation:**
  - -104,800
  - -7,300
  - -11,310
  - -11,310

- **Reduction in Strategic Sourcing:**
  - 5,260
  - 0
  - 0
  - 0

- **Information Technology System:**
  - -20,000
  - -25,000
  - -25,000

- **Consultants, Defense-Wide:**
  - -257,100
  - 0
  - 0
  - 0

- **Air Handlers:**
  - 0
  - [2,000]
  - [2,000]
  - [2,000]

- **General Reduction:**
  - 0
  - -11,800
  - 0
  - 0

- **Electronic Voting Demonstration Project:**
  - 2,000
  - 2,000
  - 2,000

- **Unrealized Savings:**
  - 330,000
  - 0
  - 330,000
  - -330,000

- **Management Reform Initiatives:**
  - 0
  - 0
  - 194,740
  - -194,740

- **Consequence Management Training:**
  - 0
  - [5,000]
  - [5,000]
  - [5,000]

**Total O&M, Defense Wide**

- 12,518,631
- 11,691,031
- 12,470,732
- -569,045
- 11,940,586
Title III - Operation & Maintenance
(Dollars in Thousands)

<table>
<thead>
<tr>
<th>Line</th>
<th>Activity/Subactivity</th>
<th>FY 2002 Request</th>
<th>House Authorized</th>
<th>Senate Authorized</th>
<th>Conference Change</th>
<th>Conference Authorized</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Operation and Maintenance, Army Reserve</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td><strong>BUDGET ACTIVITY 01: OPERATING FORCES</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>10</td>
<td>LAND FORCES</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>10a</td>
<td>DIVISION FORCES</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>ECWC'S/MSS</td>
<td>24,571</td>
<td>21,289</td>
<td>24,571</td>
<td>0</td>
<td>24,571</td>
</tr>
<tr>
<td>20</td>
<td>CORPS COMBAT FORCES</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>CORPS SUPPORT FORCES</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>30</td>
<td></td>
<td>115,183</td>
<td>115,183</td>
<td>115,183</td>
<td>0</td>
<td>115,183</td>
</tr>
<tr>
<td>40</td>
<td>ECHelon ABOVE CORPS FORCES</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>50</td>
<td>LAND FORCES OPERATIONS SUPPORT</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>LAND FORCES READINESS</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>60</td>
<td>FORCES READINESS OPERATIONS SUPPORT</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>60a</td>
<td>Controlled Humidity Preservation</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>70</td>
<td>LAND FORCES SYSTEM READINESS</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>80</td>
<td>DEPOT MAINTENANCE</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>90</td>
<td>LAND FORCES READINESS SUPPORT</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>100</td>
<td>BASE SUPPORT</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>110</td>
<td>FACILITIES SUST, REST &amp; MOD</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>ADDITIONAL ACTIVITIES</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>TOTAL, BUDGET ACTIVITY 1:</td>
<td>1,581,201</td>
<td>1,609,201</td>
<td>1,588,201</td>
<td>27,000</td>
<td>1,609,201</td>
</tr>
</tbody>
</table>

BUDGET ACTIVITY 04: ADMINISTRATION & SERVICEWIDE ACTIVITIES

ADMINISTRATION AND SERVICEWIDE ACTIVITIES
### Title III - Operation & Maintenance

(Dollars in Thousands)

<table>
<thead>
<tr>
<th>Line</th>
<th>Activity/Subactivity</th>
<th>FY 2002 Request</th>
<th>House Authorized</th>
<th>Senate Authorized</th>
<th>Conference Change</th>
<th>Conference Authorized</th>
</tr>
</thead>
<tbody>
<tr>
<td>120</td>
<td>ADMINISTRATION</td>
<td>39,256</td>
<td>39,256</td>
<td>39,256</td>
<td>0</td>
<td>39,256</td>
</tr>
<tr>
<td>140</td>
<td>SERVICEWIDE COMMUNICATIONS</td>
<td>30,865</td>
<td>30,865</td>
<td>30,865</td>
<td>0</td>
<td>30,865</td>
</tr>
<tr>
<td>140</td>
<td>PERSONNEL, FINANCIAL ADMIN (MANPOWER MGMT)</td>
<td>44,201</td>
<td>44,201</td>
<td>44,201</td>
<td>0</td>
<td>44,201</td>
</tr>
<tr>
<td>150</td>
<td>RECRUITING AND ADVERTISING</td>
<td>90,723</td>
<td>90,723</td>
<td>90,723</td>
<td>0</td>
<td>90,723</td>
</tr>
<tr>
<td>150</td>
<td>TOTAL, BUDGET ACTIVITY 4:</td>
<td>205,045</td>
<td>205,045</td>
<td>205,045</td>
<td>0</td>
<td>205,045</td>
</tr>
<tr>
<td>150</td>
<td>LAND FORCES READINESS INTO OPS SUSTAIN</td>
<td>0</td>
<td>[5,000]</td>
<td>[5,000]</td>
<td>[5,000]</td>
<td>[5,000]</td>
</tr>
<tr>
<td>150</td>
<td>FULL TIME SUPPORT</td>
<td>0</td>
<td>9,900</td>
<td>9,900</td>
<td>9,900</td>
<td>9,900</td>
</tr>
<tr>
<td>150</td>
<td>Total Operation and Maintenance, Army Reserve</td>
<td>1,787,246</td>
<td>1,814,246</td>
<td>1,801,146</td>
<td>36,900</td>
<td>1,824,146</td>
</tr>
</tbody>
</table>

- **Operation and Maintenance, Navy Reserve**

### BUDGET ACTIVITY 11: OPERATING FORCES

**RESERVE AIR OPERATIONS**

<table>
<thead>
<tr>
<th>Line</th>
<th>Activity/Subactivity</th>
<th>FY 2002 Request</th>
<th>House Authorized</th>
<th>Senate Authorized</th>
<th>Conference Change</th>
<th>Conference Authorized</th>
</tr>
</thead>
<tbody>
<tr>
<td>10</td>
<td>MISSION AND OTHER FLIGHT OPERATIONS</td>
<td>405,515</td>
<td>405,515</td>
<td>405,515</td>
<td>0</td>
<td>405,515</td>
</tr>
<tr>
<td>30</td>
<td>INTERMEDIATE MAINTENANCE</td>
<td>17,223</td>
<td>17,223</td>
<td>17,223</td>
<td>0</td>
<td>17,223</td>
</tr>
<tr>
<td>40</td>
<td>AIR OPERATION AND SAFETY SUPPORT</td>
<td>1,961</td>
<td>1,961</td>
<td>1,961</td>
<td>0</td>
<td>1,961</td>
</tr>
<tr>
<td>50</td>
<td>AIRCRAFT DEPOT MAINTENANCE</td>
<td>116,328</td>
<td>116,328</td>
<td>116,328</td>
<td>0</td>
<td>116,328</td>
</tr>
<tr>
<td>60</td>
<td>AIRCRAFT DEPOT OPERATIONS SUPPORT</td>
<td>324</td>
<td>324</td>
<td>324</td>
<td>0</td>
<td>324</td>
</tr>
</tbody>
</table>

**RESERVE SHIP OPERATIONS**

<table>
<thead>
<tr>
<th>Line</th>
<th>Activity/Subactivity</th>
<th>FY 2002 Request</th>
<th>House Authorized</th>
<th>Senate Authorized</th>
<th>Conference Change</th>
<th>Conference Authorized</th>
</tr>
</thead>
<tbody>
<tr>
<td>70</td>
<td>MISSION AND OTHER SHIP OPERATIONS</td>
<td>46,572</td>
<td>46,572</td>
<td>46,572</td>
<td>0</td>
<td>46,572</td>
</tr>
<tr>
<td>80</td>
<td>SHIP OPERATIONAL SUPPORT AND TRAINING</td>
<td>623</td>
<td>623</td>
<td>623</td>
<td>0</td>
<td>623</td>
</tr>
<tr>
<td>90</td>
<td>INTERMEDIATE MAINTENANCE</td>
<td>7,053</td>
<td>7,053</td>
<td>7,053</td>
<td>0</td>
<td>7,053</td>
</tr>
<tr>
<td>100</td>
<td>SHIP DEPOT MAINTENANCE</td>
<td>71,858</td>
<td>71,858</td>
<td>71,858</td>
<td>0</td>
<td>71,858</td>
</tr>
<tr>
<td>110</td>
<td>SHIP DEPOT OPERATIONS SUPPORT</td>
<td>2,652</td>
<td>2,652</td>
<td>2,652</td>
<td>0</td>
<td>2,652</td>
</tr>
</tbody>
</table>

**RESERVE COMBAT OPERATIONS SUPPORT**
### Title III - Operation & Maintenance

(Dollars in Thousands)

<table>
<thead>
<tr>
<th>Line</th>
<th>Activity/Subactivity</th>
<th>FY 2002 Request</th>
<th>House Authorized</th>
<th>Senate Authorized</th>
<th>Conference Change</th>
<th>Conference Authorized</th>
</tr>
</thead>
<tbody>
<tr>
<td>120</td>
<td>COMBAT SUPPORT FORCES</td>
<td>37,579</td>
<td>37,579</td>
<td>37,579</td>
<td>0</td>
<td>37,579</td>
</tr>
<tr>
<td></td>
<td>RESERVE WEAPONS SUPPORT</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>130</td>
<td>WEAPONS MAINTENANCE</td>
<td>5,531</td>
<td>5,531</td>
<td>5,531</td>
<td>0</td>
<td>5,531</td>
</tr>
<tr>
<td></td>
<td>BASE SUPPORT</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>140</td>
<td>FACILITIES SUST, REST &amp; MOD</td>
<td>51,102</td>
<td>51,102</td>
<td>51,102</td>
<td>0</td>
<td>51,102</td>
</tr>
<tr>
<td>150</td>
<td>BASE SUPPORT</td>
<td>148,046</td>
<td>148,046</td>
<td>148,046</td>
<td>0</td>
<td>148,046</td>
</tr>
<tr>
<td></td>
<td>TOTAL, BUDGET ACTIVITY 1:</td>
<td>912,367</td>
<td>912,367</td>
<td>912,367</td>
<td>0</td>
<td>912,367</td>
</tr>
<tr>
<td></td>
<td>BUDGET ACTIVITY 4: ADMINISTRATION &amp; SERVICEWIDE ACTIVITIES</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>ADMINISTRATION AND SERVICEWIDE ACTIVITIES</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>160</td>
<td>ADMINISTRATION</td>
<td>11,131</td>
<td>11,131</td>
<td>11,131</td>
<td>0</td>
<td>11,131</td>
</tr>
<tr>
<td>170</td>
<td>CIVILIAN MANPOWER &amp; PERSONNEL</td>
<td>1,934</td>
<td>1,934</td>
<td>1,934</td>
<td>0</td>
<td>1,934</td>
</tr>
<tr>
<td>180</td>
<td>MILITARY MANPOWER &amp; PERSONNEL</td>
<td>34,625</td>
<td>34,625</td>
<td>34,625</td>
<td>0</td>
<td>34,625</td>
</tr>
<tr>
<td>190</td>
<td>SERVICEWIDE COMMUNICATIONS</td>
<td>37,355</td>
<td>37,355</td>
<td>37,355</td>
<td>0</td>
<td>37,355</td>
</tr>
<tr>
<td>200</td>
<td>COMBAT/WEAPONS SYSTEM</td>
<td>5,606</td>
<td>5,606</td>
<td>5,606</td>
<td>0</td>
<td>5,606</td>
</tr>
<tr>
<td>210</td>
<td>OTHER SERVICEWIDE SUPPORT</td>
<td>672</td>
<td>672</td>
<td>672</td>
<td>0</td>
<td>672</td>
</tr>
<tr>
<td></td>
<td>CANCELLED ACCOUNTS</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>220</td>
<td>CANCELLED ACCOUNTS</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td></td>
<td>TOTAL, BUDGET ACTIVITY 4:</td>
<td>91,323</td>
<td>91,323</td>
<td>91,323</td>
<td>0</td>
<td>91,323</td>
</tr>
<tr>
<td></td>
<td>NAVY MARINE CORPS INTRANET</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Total Operation and Maintenance, Navy Reserve</td>
<td>1,003,690</td>
<td>1,003,690</td>
<td>1,000,369</td>
<td>-3,640</td>
<td>1,000,050</td>
</tr>
</tbody>
</table>
# Title III - Operation & Maintenance
(Dollars in Thousands)

<table>
<thead>
<tr>
<th>Line</th>
<th>Activity/Subactivity</th>
<th>FY 2002 Request</th>
<th>House Authorized</th>
<th>Senate Authorized</th>
<th>Conference Change</th>
<th>Conference Authorized</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Operation and Maintenance, Marine Corps Reserve</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td><strong>BUDGET ACTIVITY 01: OPERATING FORCES</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td><strong>MISSION FORCES</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>10</td>
<td>OPERATING FORCES</td>
<td>50,898</td>
<td>50,898</td>
<td>50,898</td>
<td>0</td>
<td>50,898</td>
</tr>
<tr>
<td>20</td>
<td>DEPOT MAINTENANCE</td>
<td>7,784</td>
<td>7,784</td>
<td>7,784</td>
<td>0</td>
<td>7,784</td>
</tr>
<tr>
<td>30</td>
<td>BASE SUPPORT</td>
<td>25,610</td>
<td>25,610</td>
<td>25,610</td>
<td>0</td>
<td>25,610</td>
</tr>
<tr>
<td>40</td>
<td>TRAINING SUPPORT</td>
<td>18,144</td>
<td>18,144</td>
<td>18,144</td>
<td>0</td>
<td>18,144</td>
</tr>
<tr>
<td>50</td>
<td>FACILITIES SUST, REST &amp; MOD</td>
<td>10,027</td>
<td>10,027</td>
<td>10,027</td>
<td>0</td>
<td>10,027</td>
</tr>
<tr>
<td></td>
<td><strong>TOTAL, BUDGET ACTIVITY 1:</strong></td>
<td>112,463</td>
<td>112,463</td>
<td>112,463</td>
<td>0</td>
<td>112,463</td>
</tr>
<tr>
<td></td>
<td><strong>BUDGET ACTIVITY 04: ADMINISTRATION &amp; SERVICEWIDE ACTIVITIES</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>60</td>
<td>SPECIAL SUPPORT</td>
<td>8,596</td>
<td>8,596</td>
<td>8,596</td>
<td>0</td>
<td>8,596</td>
</tr>
<tr>
<td>70</td>
<td>SERVICEWIDE TRANSPORTATION</td>
<td>491</td>
<td>491</td>
<td>491</td>
<td>0</td>
<td>491</td>
</tr>
<tr>
<td>80</td>
<td>ADMINISTRATION</td>
<td>8,632</td>
<td>8,632</td>
<td>8,632</td>
<td>0</td>
<td>8,632</td>
</tr>
<tr>
<td>90</td>
<td>BASE SUPPORT</td>
<td>5,719</td>
<td>5,719</td>
<td>5,719</td>
<td>0</td>
<td>5,719</td>
</tr>
<tr>
<td>100</td>
<td>RECRUITING AND ADVERTISING</td>
<td>8,122</td>
<td>8,122</td>
<td>8,122</td>
<td>0</td>
<td>8,122</td>
</tr>
<tr>
<td></td>
<td><strong>TOTAL, BUDGET ACTIVITY 4:</strong></td>
<td>31,560</td>
<td>31,560</td>
<td>31,560</td>
<td>0</td>
<td>31,560</td>
</tr>
<tr>
<td></td>
<td>NAVY MARINE CORPS IN IRANET</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Total Operation and Maint, Marine Corps Reserve</td>
<td>144,023</td>
<td>144,023</td>
<td>142,956</td>
<td>-1,170</td>
<td>142,853</td>
</tr>
<tr>
<td></td>
<td>Operation and Maintenance, Air Force Reserve</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
### Title III - Operation & Maintenance

(Dollars in Thousands)

<table>
<thead>
<tr>
<th>Line</th>
<th>Activity/Subactivity</th>
<th>FY 2002 Request</th>
<th>House Authorized</th>
<th>Senate Authorized</th>
<th>Conference Change</th>
<th>Conference Authorized</th>
</tr>
</thead>
<tbody>
<tr>
<td>10</td>
<td>PRIMARY COMBAT FORCES</td>
<td>1,266,511</td>
<td>1,266,511</td>
<td>1,266,511</td>
<td>0</td>
<td>1,266,511</td>
</tr>
<tr>
<td>20</td>
<td>MISSION SUPPORT OPERATIONS</td>
<td>61,637</td>
<td>61,637</td>
<td>61,637</td>
<td>0</td>
<td>61,637</td>
</tr>
<tr>
<td>30</td>
<td>DEPOT MAINTENANCE</td>
<td>322,507</td>
<td>322,507</td>
<td>322,507</td>
<td>0</td>
<td>322,507</td>
</tr>
<tr>
<td>40</td>
<td>BASE SUPPORT</td>
<td>245,126</td>
<td>245,126</td>
<td>245,126</td>
<td>0</td>
<td>245,126</td>
</tr>
<tr>
<td>50</td>
<td>FACILITIES SUST, REST &amp; MOD</td>
<td>38,521</td>
<td>38,521</td>
<td>38,521</td>
<td>0</td>
<td>38,521</td>
</tr>
<tr>
<td></td>
<td>TOTAL, BUDGET ACTIVITY 1:</td>
<td>1,934,302</td>
<td>1,934,302</td>
<td>1,934,302</td>
<td>0</td>
<td>1,934,302</td>
</tr>
<tr>
<td>60</td>
<td>ADMINISTRATION AND SERVICEWIDE ACTIVITIES</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>70</td>
<td>ADMINISTRATION</td>
<td>52,083</td>
<td>52,083</td>
<td>52,083</td>
<td>0</td>
<td>52,083</td>
</tr>
<tr>
<td>80</td>
<td>MILITARY MANPOWER AND PERSONNEL MNGMT</td>
<td>11,848</td>
<td>11,848</td>
<td>11,848</td>
<td>0</td>
<td>11,848</td>
</tr>
<tr>
<td>90</td>
<td>RECRUITING AND ADVERTISING</td>
<td>24,466</td>
<td>24,466</td>
<td>24,466</td>
<td>0</td>
<td>24,466</td>
</tr>
<tr>
<td>100</td>
<td>OTHER PERSONNEL SUPPORT</td>
<td>6,547</td>
<td>6,547</td>
<td>6,547</td>
<td>0</td>
<td>6,547</td>
</tr>
<tr>
<td></td>
<td>TOTAL, BUDGET ACTIVITY 4:</td>
<td>95,564</td>
<td>95,564</td>
<td>95,564</td>
<td>0</td>
<td>95,564</td>
</tr>
<tr>
<td></td>
<td>RESERVE MILITARY PERSONNEL UNDEREXECUTION SUPPORT</td>
<td>-12,000</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td></td>
<td>Total Operation and Maintenance, Air Force Reserve</td>
<td>2,029,866</td>
<td>2,017,866</td>
<td>2,029,866</td>
<td>0</td>
<td>2,029,866</td>
</tr>
<tr>
<td></td>
<td>Operation and Maintenance, Army National Guard</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
### Title III - Operation & Maintenance

(Dollars in Thousands)

<table>
<thead>
<tr>
<th>Line</th>
<th>Activity/Subactivity</th>
<th>FY 2002 Request</th>
<th>House Authorized</th>
<th>Senate Authorized</th>
<th>Conference Change</th>
<th>Conference Authorized</th>
</tr>
</thead>
<tbody>
<tr>
<td>10</td>
<td>DIVISIONS</td>
<td>472,117</td>
<td>472,117</td>
<td>472,117</td>
<td>0</td>
<td>472,117</td>
</tr>
<tr>
<td>10a</td>
<td>ECWC/MISS</td>
<td>6,000</td>
<td>4,000</td>
<td>4,000</td>
<td>4,000</td>
<td>4,000</td>
</tr>
<tr>
<td>20</td>
<td>CORPS COMBAT FORCES</td>
<td>565,861</td>
<td>565,861</td>
<td>565,861</td>
<td>0</td>
<td>565,861</td>
</tr>
<tr>
<td>30</td>
<td>CORPS SUPPORT FORCES</td>
<td>280,054</td>
<td>280,054</td>
<td>280,054</td>
<td>0</td>
<td>280,054</td>
</tr>
<tr>
<td>40</td>
<td>ECH TON ABOVE CORPS FORCES</td>
<td>476,828</td>
<td>476,828</td>
<td>476,828</td>
<td>0</td>
<td>476,828</td>
</tr>
<tr>
<td>50</td>
<td>LAND FORCES OPERATIONS SUPPORT</td>
<td>22,333</td>
<td>22,333</td>
<td>22,333</td>
<td>0</td>
<td>22,333</td>
</tr>
<tr>
<td>60</td>
<td>FORCE READINESS OPERATIONS SUPPORT</td>
<td>19,354</td>
<td>19,354</td>
<td>19,354</td>
<td>0</td>
<td>19,354</td>
</tr>
<tr>
<td>60a</td>
<td>M. Gator</td>
<td>0</td>
<td>3,100</td>
<td>0</td>
<td>0</td>
<td>3,100</td>
</tr>
<tr>
<td>70</td>
<td>LAND FORCES SYSTEMS READINESS</td>
<td>95,719</td>
<td>95,719</td>
<td>95,719</td>
<td>0</td>
<td>95,719</td>
</tr>
<tr>
<td>80</td>
<td>LAND FORCES DEPOT MAINTENANCE</td>
<td>193,414</td>
<td>193,414</td>
<td>193,414</td>
<td>0</td>
<td>193,414</td>
</tr>
<tr>
<td>90</td>
<td>BASE OPERATIONS SUPPORT</td>
<td>538,487</td>
<td>538,487</td>
<td>538,487</td>
<td>0</td>
<td>538,487</td>
</tr>
<tr>
<td>100</td>
<td>FACILITIES SUST. REST &amp; MOD</td>
<td>351,768</td>
<td>351,768</td>
<td>351,768</td>
<td>0</td>
<td>351,768</td>
</tr>
<tr>
<td>110</td>
<td>MANAGEMENT &amp; OPERATIONAL HEADQUARTERS</td>
<td>399,117</td>
<td>399,117</td>
<td>399,117</td>
<td>0</td>
<td>399,117</td>
</tr>
<tr>
<td>120</td>
<td>MISCELLANEOUS ACTIVITIES</td>
<td>38,415</td>
<td>38,415</td>
<td>38,415</td>
<td>0</td>
<td>38,415</td>
</tr>
<tr>
<td></td>
<td>Special Training</td>
<td>2,000</td>
<td>0</td>
<td>2,000</td>
<td>2,000</td>
<td></td>
</tr>
<tr>
<td></td>
<td>TOTAL, BUDGET ACTIVITY I:</td>
<td>3,453,467</td>
<td>3,461,467</td>
<td>3,460,567</td>
<td>6,000</td>
<td>3,459,467</td>
</tr>
</tbody>
</table>

### BUDGET ACTIVITY 04: ADMINISTRATION & SERVICEWIDE ACTIVITIES

**ADMINISTRATION AND SERVICEWIDE ACTIVITIES**
### Title III - Operation & Maintenance

(Dollars in Thousands)

<table>
<thead>
<tr>
<th>Line</th>
<th>Activity/Subactivity</th>
<th>FY 2002 Request</th>
<th>House Authorized</th>
<th>Senate Authorized</th>
<th>Conference Change</th>
<th>Conference Authorized</th>
</tr>
</thead>
<tbody>
<tr>
<td>130</td>
<td>STAFF MANAGEMENT</td>
<td>84,106</td>
<td>84,106</td>
<td>84,106</td>
<td>0</td>
<td>84,106</td>
</tr>
<tr>
<td>140</td>
<td>INFORMATION MANAGEMENT</td>
<td>21,070</td>
<td>21,070</td>
<td>21,070</td>
<td>0</td>
<td>21,070</td>
</tr>
<tr>
<td>150</td>
<td>PERSONNEL ADMINISTRATION</td>
<td>35,902</td>
<td>35,902</td>
<td>35,902</td>
<td>0</td>
<td>35,902</td>
</tr>
<tr>
<td>160</td>
<td>RECRUITING AND ADVERTISING</td>
<td>82,814</td>
<td>82,814</td>
<td>82,814</td>
<td>0</td>
<td>82,814</td>
</tr>
<tr>
<td></td>
<td>TOTAL, BUDGET ACTIVITY 4:</td>
<td>223,892</td>
<td>223,892</td>
<td>223,892</td>
<td>0</td>
<td>223,892</td>
</tr>
<tr>
<td></td>
<td>FULL TIME SUPPORT</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>MILITARY TECHNICIANS (DUAL STATUS)</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Operation and Maintenance, Air National Guard</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Total Operation and Maintenance, Army National Guard</td>
<td>3,677,359</td>
<td>3,705,359</td>
<td>3,697,659</td>
<td>19,200</td>
<td>3,696,559</td>
</tr>
<tr>
<td></td>
<td>BUDGET ACTIVITY 01: OPERATING FORCES</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>AIR OPERATIONS</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>10</td>
<td>AIRCRAFT OPERATIONS</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>10a</td>
<td>F-1B</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>20</td>
<td>MISSION SUPPORT OPERATIONS</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>30</td>
<td>BASE SUPPORT</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>40</td>
<td>FACILITIES SUST, REST &amp; MOD</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>50</td>
<td>DEPOT MAINTENANCE</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>TOTAL, BUDGET ACTIVITY 1:</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>BUDGET ACTIVITY 04: ADMINISTRATION &amp; SERVICEWIDE ACTIVITIES</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>SERVICEWIDE ACTIVITIES</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
### Title III - Operation & Maintenance

(Dollars in Thousands)

<table>
<thead>
<tr>
<th>Line</th>
<th>Activity/Subactivity</th>
<th>FY 2002 Request</th>
<th>House Authorized</th>
<th>Senate Authorized</th>
<th>Conference Change</th>
<th>Conference Authorized</th>
</tr>
</thead>
<tbody>
<tr>
<td>60</td>
<td>ADMINISTRATION</td>
<td>2,935</td>
<td>2,935</td>
<td>2,935</td>
<td>0</td>
<td>2,935</td>
</tr>
<tr>
<td>70</td>
<td>RECRUITING AND ADVERTISING</td>
<td>9,978</td>
<td>9,978</td>
<td>9,978</td>
<td>0</td>
<td>9,978</td>
</tr>
<tr>
<td></td>
<td><strong>TOTAL, BUDGET ACTIVITY 4:</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>FCWCS/MSS</td>
<td>12,913</td>
<td>12,913</td>
<td>12,913</td>
<td>0</td>
<td>12,913</td>
</tr>
<tr>
<td></td>
<td><strong>Total Operation and Maintenance, Air National Guard</strong></td>
<td>3,867,361</td>
<td>3,967,361</td>
<td>4,037,161</td>
<td>100,000</td>
<td>3,967,361</td>
</tr>
<tr>
<td>10</td>
<td>ENVIRONMENTAL RESTORATION, ARMY</td>
<td>389,800</td>
<td>389,800</td>
<td>389,800</td>
<td>0</td>
<td>389,800</td>
</tr>
<tr>
<td>20</td>
<td>ENVIRONMENTAL RESTORATION, NAVY</td>
<td>257,517</td>
<td>257,517</td>
<td>257,517</td>
<td>0</td>
<td>257,517</td>
</tr>
<tr>
<td>30</td>
<td>ENVIRONMENTAL RESTORATION, AIR FORCE</td>
<td>385,437</td>
<td>385,437</td>
<td>385,437</td>
<td>0</td>
<td>385,437</td>
</tr>
<tr>
<td>40</td>
<td>ENVIRONMENTAL RESTORATION, DEFENSE WIDE</td>
<td>23,492</td>
<td>23,492</td>
<td>23,492</td>
<td>0</td>
<td>23,492</td>
</tr>
<tr>
<td>50</td>
<td>ENV REST, FORMERLY USED DEFENSE SITES</td>
<td>190,255</td>
<td>190,255</td>
<td>230,255</td>
<td>40,000</td>
<td>230,255</td>
</tr>
<tr>
<td>60</td>
<td>DRUG INTERDICTION &amp; CONTROL DRUG ACTIVITIES</td>
<td>820,381</td>
<td>820,381</td>
<td>860,381</td>
<td>0</td>
<td>820,381</td>
</tr>
<tr>
<td>70</td>
<td>OVERSEAS CONTINGENCIES</td>
<td>2,844,226</td>
<td>2,844,226</td>
<td>2,844,226</td>
<td>0</td>
<td>2,844,226</td>
</tr>
<tr>
<td>90</td>
<td>OFFICE OF THE INSPECTOR GENERAL</td>
<td>150,221</td>
<td>152,021</td>
<td>149,221</td>
<td>-1,000</td>
<td>149,221</td>
</tr>
<tr>
<td>100</td>
<td>RELIEF PRACTICE, ARMY</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>110</td>
<td>U.S. COURT OF APPEALS FOR THE ARMED FORCES</td>
<td>9,096</td>
<td>9,096</td>
<td>9,096</td>
<td>0</td>
<td>9,096</td>
</tr>
<tr>
<td>120</td>
<td>SUPPORT OF INTERNTL SPORTING COMPETITIONS</td>
<td>15,800</td>
<td>15,800</td>
<td>15,800</td>
<td>0</td>
<td>15,800</td>
</tr>
<tr>
<td>130</td>
<td>OVERSEAS HUMANITARIAN, DISASTER &amp; CIVIC AFFAIRS</td>
<td>49,700</td>
<td>49,700</td>
<td>49,700</td>
<td>0</td>
<td>49,700</td>
</tr>
<tr>
<td>140</td>
<td>PAYMENT TO KAHOOLOAWE ISLAND</td>
<td>25,000</td>
<td>25,000</td>
<td>60,000</td>
<td>15,000</td>
<td>40,000</td>
</tr>
<tr>
<td>150</td>
<td>EMERGENCY RESPONSE FUND, DEFENSE</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>160</td>
<td>DEFENSE HEALTH PROGRAM</td>
<td>17,565,750</td>
<td>17,565,750</td>
<td>17,546,750</td>
<td>0</td>
<td>17,570,750</td>
</tr>
</tbody>
</table>
Title III - Operation & Maintenance  
(Dollars in Thousands)

<table>
<thead>
<tr>
<th>Line</th>
<th>Activity/Subactivity</th>
<th>FY 2002 Request</th>
<th>House Authorized</th>
<th>Senate Authorized</th>
<th>Conference Change</th>
<th>Conference Authorized</th>
</tr>
</thead>
<tbody>
<tr>
<td>166a</td>
<td>TVI EXPENSES FOR GR DIAN OF MINOR CHIRD</td>
<td>0</td>
<td>5,000</td>
<td>[5000]</td>
<td>5,000</td>
<td>5,000</td>
</tr>
<tr>
<td>170</td>
<td>FORMER SOVIET UNION THREAT REDUCTION</td>
<td>403,000</td>
<td>403,000</td>
<td>403,000</td>
<td>0</td>
<td>403,000</td>
</tr>
<tr>
<td>180</td>
<td>DEFENSE EXPORT LOAN GUARANTEE PROGRAM</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>190</td>
<td>QUALITY OF LIFE ENHANCEMENTS</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td></td>
<td>UTILITIES ADJUSTMENT</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>-125,000</td>
<td>-125,000</td>
</tr>
<tr>
<td></td>
<td>GENERAL REDUCTION</td>
<td>0</td>
<td>0</td>
<td>-40,000</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td></td>
<td>TOTAL, MISCELLANEOUS</td>
<td>18,218,567</td>
<td>18,225,367</td>
<td>18,193,567</td>
<td>-106,000</td>
<td>18,112,567</td>
</tr>
</tbody>
</table>

TOTAL OPERATION AND MAINTENANCE TITLE:

<table>
<thead>
<tr>
<th>Line</th>
<th>Total</th>
<th>House Authorized</th>
<th>Senate Authorized</th>
<th>Conference Change</th>
<th>Conference Authorized</th>
</tr>
</thead>
<tbody>
<tr>
<td>125,349,997</td>
<td>123,792,869</td>
<td>125,346,298</td>
<td>-2,090,070</td>
<td>123,259,927</td>
<td></td>
</tr>
</tbody>
</table>
The conferees agree to reduce operations and maintenance accounts by $1.07 billion to reflect savings from management reform initiatives, as discussed in Title VIII.

Combating Terrorism

The budget request included $5.6 billion to continue improving the ability of U.S. forces to deter and defend against the growing terrorist threat.

The Senate amendment would authorize the requested amount.

The Senate bill would authorize the $5.6 billion request, but included an additional $272.2 million to further improve U.S. capabilities to combat terrorism. Of this increase, $108.0 million was added to operation and maintenance accounts. This included: $77.7 million to address force protection vulnerabilities on Army installations; $14.3 million for enhanced counterterrorism training for U.S. Special Operations Forces; $10.0 million for the combating terrorism readiness initiatives fund for combatant commands; and $6.0 million to purchase hand-held explosive detectors for seagoing Navy vessels.

The conferees note that many of the vulnerabilities to terrorist attacks have become high priorities for the Department of Defense. Conferees noted in the fact that a significant portion of the additional funds included in the Senate bill have already been funded in the fiscal year 2001 emergency supplemental appropriations act. Specifically, the conferees understand that, as of the end of September 2001, the Army had received $257.0 million in supplemental funding for force protection vulnerabilities at its installations, and the Special Operations Command had received $151.0 million for combating terrorism, including immediate counterterrorist efforts.

Therefore, the conferees direct the Secretary of Defense and the Director of Central Intelligence to plan and carry out a program to purchase a significant portion of their non-time-critical low and medium resolution satellite imagery requirements from the U.S. commercial remote sensing industry by 2006.

The conferees note that substantial resources related to commercial imagery activities have been included in the Emergency Terrorism Response Supplemental Appropriations Act. Specifically, the Senate amendment would authorize $217.2 million to further improve U.S. capabilities to combat terrorism. Of this amount, $77.7 million would be used to improve military munitions. Operational ranges, or locations outside the United States; (2) clarify the definitions of military munitions, operational ranges, unexploded ordnance and other key terms; (3) require consultation with representatives of States and Tribes in the development of a prioritization plan for site remediation; and (4) clarify that the prioritization of sites does not impair, alter or diminish the Department’s obligations under federal or state law; and (5) extend the time period available for the Department to complete the inventory and prioritization of sites. The conference agreement includes these provisions.

Armed Forces Retirement Home (sec. 301)

The Senate bill contained a provision (sec. 301) that would authorize the appropriation of $71.4 million from the Armed Forces Retirement Home Trust Fund for fiscal year 2002 and $77.7 million for fiscal year 2003.

The House recedes with an amendment that would provide $650.6 million for the Armed Forces Retirement Home Trust Fund for fiscal year 2002 and $77.7 million for fiscal year 2003. The Senate amendment contained a provision (sec. 302) that would authorize the recommendation fiscal year 2002 funding levels for all operation and maintenance and working capital funds.

The House amendment contained similar provisions (secs. 301-302).

The conference agreement includes these provisions.

Funds for renovation of Department of Veterans Affairs facilities adjacent to Naval Training Center, Great Lakes, Illinois (sec. 303)

The Senate bill contained a provision (sec. 303) that would authorize the Secretary of the Navy to use up to $22.0 million to fund the renovation and relocation of Department of Veterans Affairs facilities in the proximity of the Naval Training Center, Great Lakes, Illinois. The provisions would make the authority contingent on the Secretary of Veterans Affairs certifying that the Navy entering into an agreement to provide 48 acres of Department of Veterans Affairs property for the expansion of the Naval Training Center.

The House amendment contained no similar provision.

Funds for renovation of Department of Veterans Affairs facilities adjacent to Naval Training Center, Great Lakes, Illinois (sec. 303)

The Senate bill contained a provision (sec. 303) that would authorize the Secretary of the Navy to use up to $22.0 million to fund the renovation and relocation of a portion of the Department of Veterans Affairs facilities in the proximity of the Naval Training Center, Great Lakes, Illinois. The provision would make the authority contingent on the Secretary of Veterans Affairs certifying that the Navy entering into an agreement to provide 48 acres of Department of Veterans Affairs property for the expansion of the Naval Training Center.

The House amendment contained no similar provision.

Defense Language Institute Foreign Language Center expanded Arabic language program (sec. 306)

The Senate bill contained a provision (sec. 306) that would authorize $650.6 million of the funds available in the Operation and Maintenance, Army, account for an expanded Arabic language program at the Defense Language Institute.

The House amendment contained no similar provision.

The House recedes.

Subtitle B—Environmental Provisions

Inventory of unexploded ordnance, discarded military munitions, and munitions constituents at defense sites (other than operational ranges) (sec. 311)

The Senate amendment contained a provision (sec. 311) that would require the Department of Defense to inventory sites that are known or suspected to contain abandoned military munitions. The Senate bill contained no similar provision.

The Senate recedes with an amendment that would: (1) provide that the inventory requirement does not apply to operating storage, manufacturing, and operating facilities, operational ranges, or locations outside the United States; (2) clarify the definitions of munitions, operational ranges, unexploded ordnance and other key terms; (3) require consultation with representatives of States and Tribes in the development of a prioritization plan for site remediation; and (4) clarify that the prioritization of sites does not impair, alter or diminish the Department’s obligations under federal or state law; and (5) extend the time period available for the Department to complete the inventory and prioritization of sites. The conference agreement includes these provisions.

Establishment of new program element for remediation of unexploded ordnance, discarded military munitions, and munitions constituents (sec. 312)

The Senate amendment contained a provision (sec. 311) that would require the Secretary of Defense to establish within each environmental restoration account, each defense site, or site related to the Department of Defense a sub-account for the remediation of unexploded ordnance and related constituents.

The House recedes with an amendment that would: (1) establish program elements, rather than sub-accounts, within each of the environmental restoration accounts; and (2) clarify that the accounts cover discarded munitions as well as unexploded ordnance and related constituents.

Assessment of environmental remediation of unexploded ordnance, discarded military munitions, and munitions constituents (sec. 313)

The Senate amendment contained a provision (sec. 312) that would require the Department of Defense to conduct a comprehensive assessment and develop a plan for addressing unexploded ordnance, discarded munitions and related constituents on Department of Defense facilities and installations.

The House amendment contained no similar provision.

The Senate recedes with an amendment that would: (1) harmonize the terminology and scope of this provision with other provisions related to unexploded ordnance; and (2) delay from calendar year 2002 to calendar year 2003 the due date of the required report.
The conference report would require the Department of Defense to provide an interim report containing all available information in calendar year 2002.

Conformity of surety authority under environmental programs with surety authority under CERCLA (sec. 314)

The Senate bill contained a provision (sec. 316) that would eliminate the sunset date for the surety provisions in section 2701 of title 10, United States Code.

The House amendment contained no similar provision.

The House recedes with a technical amendment to the title.

Elimination of annual report on contractor reimbursement for costs of environmental response actions (sec. 315)

The House amendment contained a provision (sec. 315) that would remove the requirement for the Department of Defense to report to Congress on contractor reimbursement for costs of environmental response actions for the top 20 defense contractors.

The Senate bill contained no similar provision.

The Senate recedes with a technical amendment.

Pilot program for sale of air pollution emission reduction incentives (sec. 316)

The Senate bill contained a provision (sec. 316) that would require the Department of Defense to conduct a pilot program for the sale of air pollution emission reduction incentives for the top 20 defense contractors.

The House amendment contained no similar provision.

The House recedes with an amendment requiring the Department of Defense to report to Congress on the use of the program.

Department of Defense energy efficiency program (sec. 317)

The Senate bill contained a provision (sec. 317) that would require the Secretary of Defense to carry out a program to significantly improve the energy efficiency of the Department of Defense over the next 10 years, and require the Department to report to Congress on progress in implementing that program.

The House amendment contained a provision (sec. 1050) expressing the sense of Congress that the Department should work to improve fuel efficiency reforms.

The House recedes with an amendment that would incorporate the sense of Congress into the provision and ensure that the reports to Congress include the same information in the same format as is already generated for executive branch purposes.

Procurement of alternative fueled and hybrid light duty trucks (sec. 318)

The Senate bill contained a provision (sec. 318) that would require the Secretary of Defense to purchase alternative fueled vehicles, to the extent that such vehicles are commercially available and meet the Department of Defense’s requirements, for the Department of Defense fleet of light duty trucks that is not already subject to the requirement to purchase alternative fueled vehicles pursuant to the Energy Policy Act of 1992 (42 U.S.C. 13212).

The House amendment contained no similar provision.

The Senate recedes with an amendment that would expand the coverage of the provision to all types of hybrid vehicles, to ensure that hybrid vehicles other than hybrid-electric vehicles (hybrid hydrogen or fuel-cell vehicles) would also be eligible for purchase under the provision.

Reimbursement of Environmental Protection Agency for certain response costs in connection with Hooper Sands site, South Berwick, Maine (sec. 319)

The Senate bill contained a provision (sec. 319) that would authorize the Secretary of Defense to reimburse the Environmental Protection Agency (EPA) for environmental costs incurred by the EPA consistent with the January 24, 2001, agreement between the Navy and the EPA.

The House amendment contained a similar provision (sec. 319).

The Senate recedes with a technical amendment.

River mitigation studies (sec. 320)

The Senate amendment contained a provision (sec. 319) that would authorize the Secretary of Defense to conduct mitigation studies in two locations and to work with federal, state, local and private entities to address problems that may be identified.

The Senate bill contained no similar provision.

The Senate recedes with an amendment that would authorize the studies and require that each study address the extent, if any, to which the Department of Defense (DOD) is responsible for any problems identified. The conference agreement does not authorize the use of DOD funds to address these problems. The conferees understand that any action would be conducted only under existing authority and in accordance with applicable procedures and requirements.

Subtitle C—Commissaries and Nonappropriated Fund Instrumentalities

Commissary benefits for new members of the Ready Reserve (sec. 321)

The Senate bill contained a provision (sec. 662) that would grant new members of the Ready Reserve access to commissary stores.

The House amendment contained a similar provision (sec. 321).

The House recedes.

Reimbursement for use of commissary facilities by military departments for purposes other than commissary sales (sec. 322)

The Senate bill contained a provision (sec. 322) that would require service secretaries to reimburse the Defense Commissary Agency for a share of the depreciated value of a commissary facility when a military department uses the facility for purposes other than commissary sales, and set the program length at four years.

The House amendment contained a similar provision (sec. 322).

The House recedes.

Public releases of commercially valuable information of commissary stores (sec. 331)

The Senate bill contained a provision (sec. 331) that would authorize the Secretary of Defense to limit release to the public of commercially valuable commissary store information, in accordance with contracting procedures to sell commissary sales data, customer demographic information, and information pertaining to commissary transactions and operations.

The House amendment contained no similar provision.

The House recedes with a clarifying amendment.

Rebate agreements with producers of foods provided under special supplemental food program (sec. 334)

The Senate bill contained a provision (sec. 334) that would authorize the Secretary of Defense to enter into annual contracts for rebates with producers of foods for the Women, Infants, and Children (WIC) Overseas Program.

The House amendment contained no similar provision.

The House recedes.

Civil recovery for nonappropriated fund instrumentalities costs related to shoplifting (sec. 335)

The Senate amendment contained a provision (sec. 335) that would authorize the military exchanges to pursue federal debt collection remedies against shoplifters in the military exchange stores.

The Senate bill contained no similar provision.

The Senate recedes.

Subtitle D—Workforce and Depot Issues

Revision of authority to waive limitation on performance of depot-level maintenance (sec. 341)

The Senate bill contained a provision (sec. 335) that would remove the statutory authority to waive limitations on performance of depot-level maintenance to the Secretary of Defense. The provision also required the Secretary to submit to the Congress a strategic plan on the operations of public depots.

The House amendment contained no similar provision.

The House recedes with an amendment that would remove the statutory requirement for a report. The conferees are aware, however, that the Air Force is developing a strategic plan for the future operation and use of the Air Logistics Centers. The conferees believe that such a plan is essential, and direct the Secretary of the Air Force to submit this plan to the Committees on Armed Services of the Senate and the House of Representatives not later than January 31, 2002.

Exclusion of certain expenditures from limitation on private sector performance of depot-level maintenance (sec. 342)

The Senate amendment contained a provision (sec. 335) that would establish a five-year pilot program at three Air Force depots. The program would exclude work performed in a public depot under a public-private partnership from restrictions included in title 10, United States Code relating to private sector work.

The Senate bill contained a similar provision (sec. 332).

The House recedes with an amendment that would expand the program to all Centers of Industrial and Technical Excellence and set the program length at four years.

Protections for purchasers of articles and services manufactured or performed by working-capital funded industrial facilities of the Department of Defense (sec. 343)

The Senate bill contained a provision (sec. 336) that would permit a private sector entity that has contracted with the public sector in a working-capital-funded activity of the Department of Defense to file a claim if the public sector fails to comply with quality, schedule, or cost performance as required by the contract.

The Senate bill contained no similar provision.

The Senate recedes.

Revision of deadline for annual report on commercial and industrial activities (sec. 344)

The Senate bill contained a provision (sec. 1024) that would change the due date for the Commercial Activities Report to Congress, required by section 2461(g) of title 10, United States Code, from February 1 to June 30 of each year, as requested by the Department of Defense.

The House amendment contained no similar provision.

The House recedes.
Pilot manpower reporting system in Department of the Army (sec. 345)

The House amendment contained a provision (sec. 333) that would require the Department of the Army to report annually on the size of its contractor workforce.

The Senate bill contained no similar provision.

The Senate recedes with an amendment that would require the Secretary of the Army to provide to Congress an annual report describing the use of non-federal entities that provide services to the Department of the Army during fiscal years 2002 through 2004. The amendment would also clarify that the Secretary of the Army would be required to use a single set of data collection and tracking systems to compile this report, and would not be permitted to impose any new data requirements on non-federal entities.

The conferees note that a similar provision, applicable to all three military services, was included in section 343 of the National Defense Authorization Act for Fiscal Year 2002. The Senate and the House had agreed that more fully describes additional phase-in milestones.

Impact aid for children with severe disabilities (sec. 353)

The House amendment contained no similar provision.

The House recedes with a technical amendment.

Availability of auxiliary services of defense dependents’ education system for dependents who are home school students (sec. 353)

The House amendment contained a provision (sec. 342) that would require the Department of Defense (DOD) to provide support for home schooled students who are otherwise eligible to attend DOD schools.

The Senate bill contained no similar provision.

The Senate recedes with an amendment that would remove participation in individual academic courses from the services available to home schooled students, and add a requirement that the home schooled students must comply with the standards of conduct applicable to other students using or receiving the same auxiliary services.

Comptroller General study of adequacy of compensation provided for teachers in the Department of Defense overseas dependents’ schools (sec. 353)

The Senate bill contained a provision (sec. 1122) that would require the Comptroller General to conduct a study and report on whether compensation for teachers in the Department of Defense overseas dependents’ education programs is adequate for recruiting and retaining high quality teachers, and whether changes in the methodology for computing teacher pay are necessary.

The House amendment contained a similar provision (sec. 343) that would require the Secretary of Defense to conduct the study.

The House amendment contained an amendment that would change the date to May 1, 2002, that the Comptroller General must report to Congress on the results of the study.

Availability of excess defense personal property to support Department of Veterans Affairs initiative to assist homeless veterans (sec. 361)

The House amendment contained a provision (sec. 351) that would authorize $30.0 million for educational assistance to local education agencies where the standard for the minimum level of education within the state could not be maintained because of the large number of military connected students, and $1.0 million for payments to local education agencies to assist in adjusting to reductions in military presence and base closures resulting from the closure or realignment of military installations.

The Senate bill contained a similar provision that would authorize $30.0 million for impact aid to local education agencies.

The Senate recedes.

Impact aid for children with severe disabilities (sec. 352)

The Senate bill contained a provision (sec. 350) that would authorize $5.0 million for continuation of the Department of Defense assistance program to local educational agencies that benefit dependents with severe disabilities.

The House amendment contained no similar provision.

The House amendment contained an amendment that would provide $5.0 million for continuation of the Department of Defense assistance program to local educational agencies that benefit dependents with severe disabilities.
The conferees note that there are over 9,000 properties identified for inclusion in the FUDS program, hundreds of which could be categorized as former ranges. Historically, the FUDS program has had significant funding shortfalls, making it difficult to execute much needed remediation projects at these sites. In an effort to address this problem, Congress included additional funds for FUDS remediation in fiscal years 2000 and 2001. These funding increases merely helped to address some, not all of the funding shortfalls. The fiscal year 2002 budget request again failed to adequately address this funding problem.

The conferees direct the Secretary of Defense to comprehensively resolve this issue within the Department of Defense with a special emphasis on the Department of the Army. The conferees expect the Secretary of Defense to ensure that the fiscal year 2003 budget request reflects progress in this area. In addition, the conferees direct the Secretary of Defense to submit a report in conjunction with the fiscal year 2003 budget request that provides a future years plan for resolution of the FUDS funding shortfalls.

Expanding of entities eligible for loan, gift, and exchange of documentary historical, military, and obsolete combat material

The House amendment contained a provision (sec. 354) that would expand the list of entities eligible to receive loan, gift, and exchange of documentary historical and obsolete combat material.

The Senate bill contained a provision (sec. 357) that would authorize the use of $5.0 million of the funds available for Operation and Maintenance, Navy, for information operations sustainment.

The House amendment contained no similar provision.

The Senate recedes on the provision.

The conferences agree to authorize $5.0 million of the funds available for Operation and Maintenance, Navy Reserve, for information operations sustainment.

Improvements in instrumentation and targets at Army live-fire training ranges

The Senate bill contained a provision (sec. 359) that would authorize $34.7 million, offset by reductions in the fuel accounts of the Defense Working Capital Fund.

The House amendment contained no similar provision.

The Senate recedes on the provision.

The conferences agree to authorize $34.7 million of the funds available for Operation and Maintenance, Navy, for improvements in Army live-fire ranges by $11.9 million, offset by reductions in the fuel accounts of the Defense Working Capital Fund.

The House amendment contained no similar provision.

The Senate recedes on the provision.

The conferences agree to authorize $1.0 million of the funds available for Operation and Maintenance, Navy, for improvements in Army live-fire ranges by $0.2 million, offset by reductions in the fuel accounts of the Defense Working Capital Fund.

The House amendment contained no similar provision.

The Senate recedes on the provision.

The conferences agree to authorize $1.0 million of the funds available for Operation and Maintenance, Navy, for improvements in Army live-fire ranges by $0.2 million, offset by reductions in the fuel accounts of the Defense Working Capital Fund.

The House amendment contained no similar provision.

The Senate recedes on the provision.

The conferences agree to authorize $1.0 million of the funds available for Operation and Maintenance, Navy, for improvements in Army live-fire ranges by $0.2 million, offset by reductions in the fuel accounts of the Defense Working Capital Fund.

The House amendment contained no similar provision.

The Senate recedes on the provision.

The conferences agree to authorize $1.0 million of the funds available for Operation and Maintenance, Navy, for improvements in Army live-fire ranges by $0.2 million, offset by reductions in the fuel accounts of the Defense Working Capital Fund.

The House amendment contained no similar provision.

The Senate recedes on the provision.

The conferences agree to authorize $1.0 million of the funds available for Operation and Maintenance, Navy, for improvements in Army live-fire ranges by $0.2 million, offset by reductions in the fuel accounts of the Defense Working Capital Fund.

The House amendment contained no similar provision.

The Senate recedes on the provision.

The conferences agree to authorize $1.0 million of the funds available for Operation and Maintenance, Navy, for improvements in Army live-fire ranges by $0.2 million, offset by reductions in the fuel accounts of the Defense Working Capital Fund.

The House amendment contained no similar provision.
The House amendment contained an identical provision (sec. 401).

The conference agreement includes this provision.

Revision in permanent end strength minimum levels (sec. 402).

The House amendment contained a provision (sec. 504) that would increase the limitation on the authorized daily average number of non-dual status technicians as of September 30, 2002:

<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>The Senate recedes.</td>
<td>1,195</td>
<td>1,095</td>
<td>1,095</td>
</tr>
</tbody>
</table>

The House amendment contained a provision (sec. 413) that would authorize minimum levels of dual status technician end strengths for fiscal year 2002, as shown below:

<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>The Senate recedes.</td>
<td>1,155</td>
<td>1,056</td>
<td>1,056</td>
</tr>
</tbody>
</table>

The House amendment contained a provision (sec. 413) that would authorize the following end strengths for military technicians (dual status) as of September 30, 2002:

<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>The Senate recedes.</td>
<td>1,195</td>
<td>1,095</td>
<td>1,095</td>
</tr>
</tbody>
</table>

The Senate recedes.

Fiscal year 2002 limitation on non-dual status technicians (sec. 414).

The House amendment contained a provision (sec. 414) that would establish the following limits on the numbers of non-dual status technicians as of September 30, 2002:

<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>The Senate recedes.</td>
<td>1,155</td>
<td>1,056</td>
<td>1,056</td>
</tr>
</tbody>
</table>

The House amendment contained a provision (sec. 414) that would establish the following limits on the numbers of non-dual status technicians as of September 30, 2002:

<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>The Senate recedes.</td>
<td>1,195</td>
<td>1,095</td>
<td>1,095</td>
</tr>
</tbody>
</table>

The Senate recedes.

Fiscal year 2002 limitation on non-dual status technicians (sec. 415).

The Senate recedes.

Fiscal year 2002 limitation on non-dual status technicians (sec. 415).

The House amendment contained a provision (sec. 415) that would authorize the following levels on the numbers of non-dual status technicians as of September 30, 2002:

<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>The Senate recedes.</td>
<td>1,195</td>
<td>1,095</td>
<td>1,095</td>
</tr>
</tbody>
</table>

The Senate recedes.

Fiscal year 2002 limitation on non-dual status technicians (sec. 415).

The Senate amendment contained a provision (sec. 415) that would authorize the following end strengths for military technicians (dual status) as of September 30, 2002:

<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>The Senate recedes.</td>
<td>1,195</td>
<td>1,095</td>
<td>1,095</td>
</tr>
</tbody>
</table>
The Senate bill contained a provision (sec. 501) that would increase the grade of the Vice Chief of the National Guard Bureau to lieutenant general or a grade of the grade of the Chief of the Army National Guard to brigadier general. The provision would also authorize one additional Marine general above the grade of major general and one officer serving as the Senior Military Assistant to the Secretary of Defense in the grade of general or lieutenant general, or admiral or vice admiral, from the Senate. The Senate amendment contained a similar provision.

The Senate recedes with a clarifying amendment.

The Senate amendment contained a provision (sec. 502) that would increase the number of general and flag officer positions in the grades of general and admiral. The Senate recedes with an amendment that would increase the number of general and flag officer positions in the grades of general and admiral. The Senate recedes with an amendment that would increase the number of general and flag officer positions in the grades of general and admiral.

The Senate amendment contained a provision (sec. 503) that would provide for an additional 30 days the deferment of rank of officers in grades of general and admiral.

The Senate amendment contained a provision (sec. 504) that would authorize the Secretary of Defense to delegate to the Under Secretary of Defense for Personnel and Readiness or the Deputy Under Secretary of Defense for Personnel and Readiness the authority to certify to the President and to Congress that the Secretary of Defense should have more flexibility to recall retired members without seeking legislative authority to do so.

The Senate amendment contained a provision (sec. 505) that would provide for an additional 30 days the deferment of rank of officers in grades of general and admiral.

The Senate amendment contained a provision (sec. 506) that would include the grade of major general in the grades of general and admiral. The Senate recedes with a clarifying amendment.

The Senate amendment contained a provision (sec. 507) that would provide for an additional 30 days the deferment of rank of officers in grades of general and admiral.

The Senate amendment contained a provision (sec. 508) that would authorize the Secretary of Defense to delegate to the Under Secretary of Defense for Personnel and Readiness or the Deputy Under Secretary of Defense for Personnel and Readiness the authority to certify to the President and to Congress that the Secretary of Defense should have more flexibility to recall retired members without seeking legislative authority to do so.

The Senate amendment contained a provision (sec. 509) that would include the grade of major general in the grades of general and admiral. The Senate recedes with a clarifying amendment.

The Senate amendment contained a provision (sec. 510) that would provide for an additional 30 days the deferment of rank of officers in grades of general and admiral.

The Senate amendment contained a provision (sec. 511) that would provide for an additional 30 days the deferment of rank of officers in grades of general and admiral.

The Senate amendment contained a provision (sec. 512) that would provide for an additional 30 days the deferment of rank of officers in grades of general and admiral.

The Senate amendment contained a provision (sec. 513) that would provide for an additional 30 days the deferment of rank of officers in grades of general and admiral.

The Senate amendment contained a provision (sec. 514) that would provide for an additional 30 days the deferment of rank of officers in grades of general and admiral.

The Senate amendment contained a provision (sec. 515) that would provide for an additional 30 days the deferment of rank of officers in grades of general and admiral.

The Senate amendment contained a provision (sec. 516) that would provide for an additional 30 days the deferment of rank of officers in grades of general and admiral.

The Senate amendment contained a provision (sec. 517) that would provide for an additional 30 days the deferment of rank of officers in grades of general and admiral.

The Senate amendment contained a provision (sec. 518) that would provide for an additional 30 days the deferment of rank of officers in grades of general and admiral.

The Senate amendment contained a provision (sec. 519) that would provide for an additional 30 days the deferment of rank of officers in grades of general and admiral.

The Senate amendment contained a provision (sec. 520) that would provide for an additional 30 days the deferment of rank of officers in grades of general and admiral.

The Senate amendment contained a provision (sec. 521) that would provide for an additional 30 days the deferment of rank of officers in grades of general and admiral.

The Senate amendment contained a provision (sec. 522) that would provide for an additional 30 days the deferment of rank of officers in grades of general and admiral.

The Senate amendment contained a provision (sec. 523) that would provide for an additional 30 days the deferment of rank of officers in grades of general and admiral.

The Senate amendment contained a provision (sec. 524) that would provide for an additional 30 days the deferment of rank of officers in grades of general and admiral.

The Senate amendment contained a provision (sec. 525) that would provide for an additional 30 days the deferment of rank of officers in grades of general and admiral.

The Senate amendment contained a provision (sec. 526) that would provide for an additional 30 days the deferment of rank of officers in grades of general and admiral.

The Senate amendment contained a provision (sec. 527) that would provide for an additional 30 days the deferment of rank of officers in grades of general and admiral.

The Senate amendment contained a provision (sec. 528) that would provide for an additional 30 days the deferment of rank of officers in grades of general and admiral.

The Senate amendment contained a provision (sec. 529) that would provide for an additional 30 days the deferment of rank of officers in grades of general and admiral.

The Senate amendment contained a provision (sec. 530) that would provide for an additional 30 days the deferment of rank of officers in grades of general and admiral.
Retirement of reserve members without requirement for formal application or request (sec. 517).

The Senate bill contained a provision (sec. 516) that would require the service secretaries to transfer to the Retired Reserve officers who are required to be removed from active status because of failure of selection for promotion to a higher grade or age, and warrant officers and enlisted members who are required to be discharged or removed from active status because of years of service or age, unless the officer or employee requests not to be transferred to the Retired Reserve.

The House amendment contained no similar provision.

The Senate recedes.

Revision to annual report on joint officer management (sec. 524).

The Senate recedes.

The House amendment contained a provision (sec. 524) that would change some annual reporting requirements to reflect the committee’s recommended amendments to the joint officer management system.

The Senate bill contained no similar provision.

The Senate recedes.

Requirement for selection for joint specialty before promotion to general or flag officer grade (sec. 525).

The Senate amendment contained a provision (sec. 525) that would require that after September 20, 2007, officers promoted to brigadier general or rear admiral (lower half) must be selected as a joint specialty officer (JSO) prior to their promotion.

The Senate bill contained no similar provision.

The Senate recedes with an amendment that would permit waiver at the discretion of the Secretary of Defense for certain reserved officers who are required to be discharged or removed from active status because of years of service or age, required to be discharged or removed from active status because of years of service or age, or, if they are required to be discharged or removed from active status because of years of service or age, or, if they are required to be discharged or removed from active status because of years of service or age, or, if they are required to be discharged or removed from active status because of years of service or age, or, if they are required to be discharged or removed from active status because of years of service or age, or, if they are required to be discharged or removed from active status because of years of service or age, or, if they are required to be discharged or removed from active status because of years of service or age, or, if they are required to be discharged or removed from active status because of years of service or age, or, if they are required to be discharged or removed from active status because of years of service or age, or, if they are required to be discharged or removed from active status because of years of service or age, or, if they are required to be discharged or removed from active status because of years of service or age, or, if they are required to be discharged or removed from active status because of years of service or age, or, if they are required to be discharged or removed from active status because of years of service or age, or, if they are required to be discharged or removed from active status because of years of service or age, or, if they are required to be discharged or removed from active status because of years of service or age, or, if they are required to be discharged or removed from active status because of years of service or age, or, if they are required to be discharged or removed from active status because of years of service or age, or, if they are required to be discharged or removed from active status because of years of service or age, or, if they are required to be discharged or removed from active status because of years of service or age, or, if they are required to be discharged or removed from active status because of years of service or age, or, if they are required to be discharged or removed from active status because of years of service or age, or, if they are required to be discharged or removed from active status because of years of service or age, or, if they are required to be discharged or removed from active status because of years of service or age, or, if they are required to be discharged or removed from active status because of years of service or age, or, if they are required to be discharged or removed from active status because of years of service or age, or, if they are required to be discharged or removed from active status because of years of service or age, or, if they are required to be discharged or removed from active status because of years of service or age, or, if they are required to be discharged or removed from active status because of years of service or age, or, if they are required to be discharged or removed from active status because of years of service or age, or, if they are required to be discharged or removed from active status because of years of service or age, or, if they are required to be discharged or removed from active status because of years of service or age, or, if they are required to be discharged or removed from active status because of years of service or age, or, if they are required to be discharged or removed from active status because of years of service or age, or, if they are required to be discharged or removed from active status because of years of service or age, or, if they are required to be discharged or removed from active status because of years of service or age, or, if they are required to be discharged or removed from active status because of years of service or age, or, if they are required to be discharged or removed from active status because of years of service or age, or, if they are required to be discharged or removed from active status because of years of service or age, or, if they are required to be discharged or removed from active status because of years of service or age, or, if they are required to be discharged or removed from active status because of years of service or age, or, if they are required to be discharged or removed from active status because of years of service or age, or, if they are required to be discharged or removed from active status because of years of service or age, or, if they are required to be discharged or removed from active status because of years of service or age, or, if they are required to be discharged or removed from active status because of years of service or age, or, if they are required to be discharged or removed from active status because of years of service or age, or, if they are required to be discharged or removed from active status because of years of service or age, or, if they are required to be discharged or removed from active status because of years of service or age, or, if they are required to be discharged or removed from active status because of years of service or age, or, if they are required to be discharged or removed from active status because of years of service or age, or, if they are required to be discharged or removed from active status because of years of service or age, or, if they are required to be discharged or removed from active status because of years of service or age, or, if they are required to be discharged or removed from active status because of years of service or age, or, if they are required to be discharged or removed from active status because of years of service or age, or, if they are required to be discharged or removed from active status because of years of service or age, or, if they are required to be discharged or removed from active status because of years of service or age, or, if they are required to be discharged or removed from active status because of years of service or age, or, if they are required to be discharged or removed from active status because of years of service or age, or, if they are required to be discharged or removed from active status because of years of service or age, or, if they are required to be discharged or removed from active status because of years of service or age, or, if they are required to be discharged or removed from active status because of years of service or age, or, if they are required to be discharged or removed from active status because of years of service or age, or, if they are required to be discharged or removed from active status because of years of service or age, or, if they are required to be discharged or removed from active status because of years of service or age, or, if they are required to be discharged or removed from active status because of years of service or age, or, if they are required to be discharged or removed from active status because of years of service or age, or, if they are required to be discharged or removed from active status because of years of service or age, or, if they are required to be discharged or removed from active status because of years of service or age, or, if they are required to be discharge...
Secretary of Defense commission an independent study of issues related to joint officer management, joint professional military education, and the roles of the Secretary and the Chief of Staff in managing and educating joint officers.

The Senate bill contained no similar provision.

The Senate recedes.

The Senate recedes with an amendment that would require that the entity conducting the study submit a report on the study to Congress not later than one year after the date of enactment of this Act.

Professional development education (sec. 527)

The House amendment contained a provision (sec. 527) that would make the Secretary of Defense the executive agent for funding professional development education operations at the National Defense University beginning in fiscal year 2003.

The Senate bill contained no similar provision.

The Senate recedes.

Authority for National Defense University to enroll certain private sector civilians (sec. 528)

The House amendment contained a provision (sec. 528) that would permit up to 10 private sector employees of organizations relevant to national security to receive instruction at the National Defense University.

The Senate bill contained no similar provision.

The Senate recedes.

The Senate recedes with a clarifying amendment.

Continuation of reserve component professional military education test (sec. 529)

The House amendment contained a provision (sec. 529) that would require the Secretary of Defense to continue the concept validation test of the Joint Professional Military Education (JPME) course for reserve component officers in fiscal year 2002, and would authorize a broader pilot program in fiscal year 2003 for reserve component JPME, if the Secretary determines that the results of the concept validation test merit it.

The Senate bill contained no similar provision.

The Senate recedes.

Subtitle D—Military Education and Training

Defense Language Institute Foreign Language Center (sec. 531)

The House amendment contained a provision (sec. 531) that would authorize the commandant of the Defense Language Institute to award an associate of arts degree in a foreign language to graduates of the Institute’s Foreign Language Center who meet the requirements for the degree.

The Senate bill contained a similar provision (sec. 534).

The Senate recedes.

Authority for the Marine Corps University to award degree of master of strategic studies (sec. 532)

The House amendment contained a provision (sec. 532) that would authorize the president of the Marine Corps University to confer the degree of master of strategic studies upon graduates of the Marine Corps War College who meet the requirements for that degree.

The Senate bill contained a similar provision (sec. 535).

The Senate recedes.

Foreign students attending the service academies (sec. 533)

The Senate bill contained a provision (sec. 533) that would authorize the service secretaries to allow persons from foreign countries to attend the service’s academy at any one time and would authorize the Secretary of Defense to waive, in whole or in part, the requirement for reimbursement of the cost of providing instruction to a foreign cadet or midshipman.

The conference agreement includes this provision.

The Defense authorization includes the Department of Defense to exercise its authority to waive reimbursement in a fiscally prudent manner, recognizing the extraordinary value of a service academy education. The conference agreement should give full consideration to all the factors concerning the ability of the foreign country to provide partial or complete reimbursement. The conferences direct the Secretary of Defense to include in the justification materials submitted with the annual budget request an exhibit describing the number of waivers granted and the rationale for approving the waivers in each service.

The House amendment contained a similar provision (sec. 533).

The House recedes with a clarifying amendment.

Increase in maximum age for appointment as a cadet or midshipman in Senior Reserve Officers’ Training Corps scholarship programs (sec. 534)

The House amendment contained a provision (sec. 534) that would increase the maximum allowable age for the Senior Reserve Officers’ Training Corps scholarship program from age 27 on June 30 of the year in which the officer candidate is expected to be commissioned to age 35 on December 31 of the year in which the officer candidate is expected to be commissioned.

The Senate bill contained no similar provision.

The Senate bill recedes with an amendment that would increase the age to 31 years of age on December 31 of the year in which the officer candidate is expected to be commissioned.

The Senate recedes.

The Senate amendment contained a similar provision.

The Senate recedes with a clarifying amendment.

The Senate recedes.

Housing allowance for the chaplain for the Corps of Cadets at the United States Military Academy (sec. 535)

The Senate recedes.

The Senate recedes.

The Senate amendment contained a similar provision.

The Senate recedes with an amendment that would authorize higher housing allowance for the chaplain for the Corps of Cadets at the United States Military Academy.

The Senate recedes.

The Senate recedes with a clarifying amendment.

Subtitle E—Recruiting and Accession Programs

18-month enlistment pilot program (sec. 541)

The House amendment contained a provision (sec. 541) that would authorize a 18-month enlistment pilot program to increase the participation of prior service persons in the Selective Reserve and increase the pool of participants in the Individual Ready Reserve.

The Senate bill contained no similar provision.

The Senate recedes with an amendment that would authorize members who enlist under this program the option of reenlisting for continued service on active duty.

Improved benefits under the Army College First program (sec. 542)

The Senate recedes with an amendment that would modify the Army College First program by extending the period of delayed entry from two years to 30 months and increasing the monthly allowance to the higher of $250 or the amount of subsistence allowance for members of the Senior Reserve Officers’ Training Corps.

The House amendment contained no similar provision.

The House recedes with a clarifying amendment that would change the amount of the subsistence allowance to be the same as the amount of the subsistence allowance provided to members of the Senior Reserve Officers’ Training Corps with the corresponding number of years of participation.

Correction and extension of certain Army recruiting pilot program authorities (sec. 543)

The Senate recedes.

The Senate recedes.

The Senate amendment contained no similar provision.

The Senate recedes.

Reserve health professionals stipend program expansion (sec. 539)

The House amendment contained a provision (sec. 539) that would expand the stipend program for reserve health professionals by authorizing medical and dental school students to receive stipends and by authorizing the Secretary of Defense to exercise its authority to waive reimbursement in a fiscally prudent manner, recognizing the extraordinary value of a service academy education, and the roles of the Secretary and the Chief of Staff in managing and educating joint officers.

The Senate recedes with a clarifying amendment.

The Senate amendment contained a similar provision (sec. 537).

The Senate recedes with an amendment that would authorize members who enlist under this program the option of reenlisting for continued service on active duty.

The Senate recedes.

The Senate recedes with a clarifying amendment.

The Senate recedes.

The Senate recedes.

The Senate recedes.

The Senate recedes with an amendment that would authorize members who enlist under this program the option of reenlisting for continued service on active duty.

The Senate recedes.

The Senate recedes.

The Senate recedes.

The Senate recedes.

The Senate recedes with a clarifying amendment.

The Senate recedes.

The Senate recedes.

The Senate recedes with a clarifying amendment.

The Senate recedes.

The Senate recedes.

The Senate recedes.

The Senate recedes with an amendment that would authorize members who enlist under this program the option of reenlisting for continued service on active duty.

The Senate recedes.

The Senate recedes.

The Senate recedes.

The Senate recedes.

The Senate recedes.

The Senate recedes.

The Senate recedes.

The Senate recedes.

The Senate recedes.

The Senate recedes.

The Senate recedes.

The Senate recedes.

The Senate recedes.

The Senate recedes.

The Senate recedes.

The Senate recedes.

The Senate recedes.

The Senate recedes.

The Senate recedes.

The Senate recedes.

The Senate recedes.

The Senate recedes.

The Senate recedes.

The Senate recedes.

The Senate recedes.

The Senate recedes.

The Senate recedes.

The Senate recedes.

The Senate recedes.

The Senate recedes.

The Senate recedes.

The Senate recedes.

The Senate recedes.

The Senate recedes.

The Senate recedes.

The Senate recedes.

The Senate recedes.

The Senate recedes.

The Senate recedes.

The Senate recedes.

The Senate recedes.

The Senate recedes.

The Senate recedes.

The Senate recedes.

The Senate recedes.

The Senate recedes.

The Senate recedes.

The Senate recedes.

The Senate recedes.

The Senate recedes.

The Senate recedes.

The Senate recedes.

The Senate recedes.

The Senate recedes.

The Senate recedes.

The Senate recedes.

The Senate recedes.

The Senate recedes.

The Senate recedes.

The Senate recedes.

The Senate recedes.

The Senate recedes.

The Senate recedes.

The Senate recedes.

The Senate recedes.

The Senate recedes.

The Senate recedes.

The Senate recedes.

The Senate recedes.

The Senate recedes.

The Senate recedes.

The Senate recedes.

The Senate recedes.

The Senate recedes.

The Senate recedes.

The Senate recedes.

The Senate recedes.

The Senate recedes.

The Senate recedes.

The Senate recedes.

The Senate recedes.

The Senate recedes.

The Senate recedes.

The Senate recedes.

The Senate recedes.

The Senate recedes.

The Senate recedes.

The Senate recedes.

The Senate recedes.

The Senate recedes.

The Senate recedes.

The Senate recedes.

The Senate recedes.

The Senate recedes.

The Senate recedes.

The Senate recedes.

The Senate recedes.

The Senate recedes.

The Senate recedes.

The Senate recedes.

The Senate recedes.

The Senate recedes.

The Senate recedes.

The Senate recedes.

The Senate recedes.

The Senate recedes.

The Senate recedes.

The Senate recedes.

The Senate recedes.

The Senate recedes.

The Senate recedes.

The Senate recedes.

The Senate recedes.

The Senate recedes.

The Senate recedes.

The Senate recedes.

The Senate recedes.

The Senate recedes.

The Senate recedes.

The Senate recedes.

The Senate recedes.

The Senate recedes.

The Senate recedes.

The Senate recedes.

The Senate recedes.

The Senate recedes.

The Senate recedes.

The Senate recedes.

The Senate recedes.

The Senate recedes.

The Senate recedes.

The Senate recedes.

The Senate recedes.

The Senate recedes.

The Senate recedes.

The Senate recedes.

The Senate recedes.
Military recruiter access to secondary school students (sec. 541) The House amendment contained a provision (sec. 548) that would specify that secondary schools shall provide directory information to military recruiters in the same way that such information is provided to institutions of higher education when the student has indicated a desire or intent to enroll in that institution. The Senate bill contained no similar provision. The Senate recedes with an amendment that would require local educational agencies receiving assistance under the Elementary and Secondary Education Act of 1965 to provide military recruiters the same access to secondary school students as is provided generally to postsecondary educational institutions or to prospective employers and, upon request by military recruiters, access to secondary school student names, addresses, and telephone listings unless the parent or student has submitted a request that this information not be released without prior written parental consent. Permanent authority for use of military recruiting funds for certain expenses at Department of Defense recruiting functions (sec. 546) The House amendment contained a provision (sec. 583) that would make permanent the authority for the secretaries of the military departments to conduct social functions involving recruiting candidates and recruits awaiting active duty entry, and other persons known to influence the career decisions of recruitment-age youth. The Senate amendment contained no similar provision. The Senate recedes. Report on health and disability benefits for pre-service training and education programs (sec. 549) The Senate bill contained a provision (sec. 588) that would require the Secretary of Defense to conduct a review of and report on the health and disability benefits available to recruits and officer candidates engaged in training, education, or other types of programs while not yet on active duty and to cadets or midshipmen attending the service academies. The House amendment contained a similar provision (sec. 592). The Senate recedes with an amendment that would require that the Secretary of Defense include in his report an analysis of health and disability benefits administered under the Department of Veterans Affairs and the Department of Labor available to persons injured in training or education. Subtitle F—Decorations, Awards, and Pensions Authority for award of the Medal of Honor to Humbert R. Versace, Jon E. Swanson, and Ben L. Salomon for valor (sec. 551) The Senate bill contained a provision (sec. 551) that would waive statutory time limits and authorize the President to award the Medal of Honor to Humbert R. Versace for valor during the Vietnam War. The House amendment contained a similar provision (sec. 552). The House recedes with an amendment (sec. 542) that would require the Secretary of the military departments to review the service records of certain Jewish and Hispanic veterans from World War II and later periods to determine if the award of the Medal of Honor is appropriate and would waive the statutory time limitations for award where the secretaries determine that service records support the award of Medals of Honor. The Senate bill contained a similar provision requiring review of the service records of Jewish American war veterans (sec. 552). The Senate amendment contained no similar provision. The Senate recedes with an amendment that would require the Secretary of Defense to issue one duplicate Medal of Honor to recipients for display purposes, and a provision (sec. 544) that would clarify that the service secretaries are authorized to replace stolen decorations. The Senate amendment contained a similar provision (sec. 553). The Senate recedes with an amendment that would combine the provisions. Retroactive Medal of Honor special pension (sec. 554) The Senate bill contained a provision (sec. 556) that would entitle Robert R. Ingram to retroactive payment of the Medal of Honor special pension. The House amendment contained no similar provision. The Senate recedes. Waiver of time limitations for award of certain decorations (sec. 555) The Senate bill contained a provision (sec. 554) that would waive the statutory time limits for award of military decorations to certain individuals who have been recommended by the service secretaries for these awards. The House amendment contained a similar provision (sec. 540). The House recedes. Sense of Congress on issuance of certain medals (sec. 556) The Senate bill contained a provision (sec. 555) that would express the sense of the Senate that the Secretary of Defense should consider authorizing the issuance of the Korea Defense Service Medal to persons who served in the armed forces in or adjacent to the Republic of Korea between July 28, 1954, and a date determined by the Secretary. The House amendment contained a provision (sec. 549) that would require the Secretary of Defense to issue the Korea Defense Service Medal. The House amendment also contained a provision (sec. 547) that would require the secretaries of the military departments to issue a Cold War Service Medal to persons who served honorably on active duty in the armed forces during the period beginning on September 2, 1945, and ending on December 26, 1991. The House amendment also contained a provision (sec. 557) that would authorize the participation in Operation Frequent Wind to receive the Vietnam Service Medal. The Senate amendment also contained provisions to express the sense of the Congress that the Secretary of Defense should consider authorizing the award of the Korea Defense Service Medal, the Cold War Service Medal, and the Vietnam Service Medal to persons in the categories described. The conference believes that the decision of whether or not to award campaign medals should be the prerogative of the Secretary of Defense. Sense of Congress on development of a more comprehensive, uniform policy for the award of decorations to military and civilian personnel of the Department of Defense (sec. 557) The House amendment contained a provision (sec. 549) that would commend the decision by the Department of Defense to create a new medal, the medal for the defense of freedom, to be awarded to Department of Defense civilians who are killed or wounded as a result of hostile action. The Senate bill contained no similar provision. The Senate recedes with a clarifying amendment. Posthumous Army commission in the grade of captain in the Chaplains Corps to Ella E. Gibson for service as chaplain in the First Wisconsin Heavy Artillery Regiment during the Civil War (sec. 558) The House amendment contained a provision (sec. 556) that would authorize and request the President to posthumously appoint Ella E. Gibson to the grade of captain for her service as a chaplain in the First Wisconsin Heavy Artillery Regiment during the Civil War. The Senate bill contained no similar provision. The Senate recedes. Subtitle G—Funeral Honors Duty Participation of military retirees in funeral honors details (sec. 561) The Senate amendment contained a provision (sec. 562) that would authorize military retirees to serve as members of funeral honor details. The House amendment contained a similar provision (sec. 561). The Senate recedes with a clarifying amendment. Funeral honors duty performed by reserve and guard members to be treated as inactive-duty training for certain purposes (sec. 562) The Senate amendment contained a provision (sec. 562) that would authorize military retirees to serve as members of the reservists and National Guard members to be treated as inactive-duty training for certain purposes. The House amendment contained a provision (sec. 563) that would authorize reserve members and National Guard members to be treated as inactive-duty training. The Senate bill contained a similar provision (sec. 563). The Senate amendment contained no similar provision. The Senate recedes. Use of military leave for funeral honors duty by reserve members and National Guardsmen (sec. 563) The Senate amendment contained a provision (sec. 563) that would authorize federal employees who are members of the reserve components to use military leave to perform funeral honors duty. The Senate bill contained a similar provision (sec. 564). The Senate recedes. Authority to provide appropriate articles of clothing as a civilian uniform for civilians participating in funeral honor details (sec. 564) The Senate amendment contained a provision (sec. 569) that would authorize federal employees who are members of the reserve components to use military leave to perform funeral honors duty. The Senate bill contained a similar provision (sec. 564). The Senate recedes. Authority to provide appropriate articles of clothing as a civilian uniform for civilians participating in funeral honor details (sec. 564) The Senate amendment contained a provision (sec. 563) that would require the Secretary of a military department to provide, upon a showing of financial need, articles of clothing as a civilian uniform for civilians participating in funeral honor details for veterans. The Senate bill contained no similar provision. The Senate recedes with an amendment that would authorize the secretaries to provide the articles of clothing. The conference is aware of the challenges the services face in providing funeral honors.
details for all veterans’ funerals where a fu-

eral honors detail is requested. The con-

feres encourage the services to work closely

with and provide support to veterans organi-

zations to increase their participation in fu-

neral honors details.

Subtitle H—Military Spouses and Family

Members

Improved financial and other assistance to mil-

itary spouses for job training and education

(sect. 571)

The House amendment contained a provi-

sion (sect. 561) that would require the Sec-

retary of Defense to examine existing De-

partment of Defense and other federal, state

and local programs with the ob-

jective of improving retention of military

personnel by increasing the employability

of military spouses and helping those spouses

gain access to financial and other assistance

for training and education.

The Senate bill contained no similar provi-

sion.

The Senate recedes.

Persons authorized to be included in surveys

of military families regarding federal programs

(sec. 572)

The Senate bill contained a provision (sect.

581) that would authorize the Secretary of

Defense to add family members of retirees

and surviving spouses to those who may be

surveyed to determine the effectiveness of

federal programs regarding to military fami-

lies and the need for new programs.

The House amendment contained a similar

provision (sect. 562).

The House recedes with a clarifying

amendment.

Clarification of treatment of classified informa-

tion concerning persons in a missing status

(sect. 573)

The Senate amendment contained a provi-

sion (sect. 563) that would amend section 1506

of title 10, United States Code, to require the

Secretary of Defense to maintain a separate

file available for review by next-of-kin that

would provide notice of the existence of clas-

sified information which may pertain to one

or more missing persons.

The Senate bill contained no similar provi-

sion.

The Senate recedes with a clarifying

amendment.

Transportation to annual meeting of next-of-kin

of persons unaccounted for from conflicts

(sec. 574)

The House amendment contained a provi-

sion (sect. 564) that would authorize the Sec-

retary of Defense to provide transportation

for the next-of-kin of persons who are unac-

counted for from the Korean War, the Cold

War, the Vietnam War, and the Persian Gulf

Conflict to an annual meeting concerning

ongoing efforts to resolve the fate of their

missing family members.

The Senate bill contained a similar provi-

sion (sect. 588).

The Senate recedes with a clarifying

amendment.

Amendments to charter of Defense Task Force

on Domestic Violence (sect. 575)

The House amendment contained a provi-

sion (sect. 565) that would extend the original

three-year authorization of the Defense Task

Force on Domestic Violence from October,

2002, to April 24, 2003 and authorize reim-

bursement to be paid to task force members

who are not Department of Defense or fed-

ceral civilian employees to those who are.

The Senate bill contained a similar provi-

sion (sect. 587).

The Senate recedes.

Subtitle I—Military Justice and Legal

Assistance Matters

Blood alcohol content limit for the offense under

the Uniform Code of Military Justice of

drunken operation of a vehicle, aircraft, or

vessel (sect. 581)

The Senate bill contained a provision (sect.

583) that would amend Article 111 of the Uni-

form Code of Military Justice (10 U.S.C. 911)

to lower the blood alcohol content necessary

to establish drunken operation of a motor vehicle,

aircraft, or vessel from 0.1 to 0.08 grams or more

of alcohol per 100 milli-

liters of blood or 0.08 liters of breath.

The House amendment contained no simi-

lar provision.

The House recedes with an amendment

that would establish the blood alcohol con-

tent limit as the limit under the law of the

state in which the conduct occurred. Where

the military installation is in more than one

state, the Secretary would select the blood

alcohol limit of one of the states if the states

have different limits.

Requirement that courts-martial consist of not

less than 12 members in capital cases (sect.

582)

The House amendment contained a provi-

sion (sect. 571) that would amend chapter 47 of

title 10, United States Code, to increase the

minimum number of required court-martial

members to 12 in cases in which the death

penalty may be adjudged as a sentence.

The Senate bill contained no similar provi-

sion.

The Senate recedes with an amendment

that would make this provision effective for

offenses committed after December 31, 2002.

The Senate recedes with an amendment

that a similar proposal is currently being reviewed by the

Joint Service Committee on Military Jus-
tice. The conferees expect the Secretary of

Defense to provide any comments the Sec-

retary may have on such a proposal to the

Committees on Armed Services of the Senate

and the House of Representatives no later

than March 1, 2002.

Acceptance of voluntary legal assistance for the

civil affairs of members and former members

of the uniformed services and their depend-

ents (sect. 583)

The Senate bill contained a provision (sect.

586) that would authorize the service secre-

taries to accept voluntary legal services the same as

volunteer providing legal services the same as

an attorney on the legal staff within the De-

partment of Defense for defense of legal mal-

practice.

The House amendment contained a similar

provision (sect. 574).

The House recedes.

Subtitle J—Other Matters

Congressional review period for change in

ground combat exclusion policy (sect. 591)

The House amendment contained a provi-

sion (sect. 591) that would change to 60 days

of continuous session of Congress the congrres-

sional notification period required of the

Secretary of Defense before implementing

revised policies concerning the assignment

of women to ground combat units or posi-

tions.

The Senate bill contained no similar provi-

sion.

The Senate recedes with an amendment

that would change the notification period to

30 days of continuous session of Congress

Per diem allowance for lengthy or numerous de-

ployments (sect. 592)

The House amendment contained a provi-

sion (sect. 590) that would expand the scope

of the relief by blood alcohol content for the

management of individual member deploy-
ments and would require that high-deploy-

ment per diem be paid from operations and

maintenance accounts.

The Senate bill contained no similar provi-

sion.

The Senate recedes with a clarifying

amendment.

The Senate recedes with an amendment

that the Secretary of Defense, using the authority under section 991(d) of title 10, United

States Code, recently suspended the requirement for general or flag officers to manage the deployment of

certain members and the accumulation of deployment days by individual members. This suspension was

justified, and, by delaying the actual payment of high-deployment per diem to individuals, it saves

additional time for the services to analyze its impact on personnel and assignment policies.

To ensure a smooth transition upon termin-

ation of this suspension, the conferees urge the Secretary of Defense to afford the services sufficient time to initiate any nec-

essary policy changes to optimize the effi-

ciency of deployment of military personnel.

The conferences are pleased that effective

tracking systems for individual tempo of op-

erations are being developed in all the serv-

ices and that a robust dialogue within the

Department of Defense about the policy,

based on facts, is in progress. The Com-

mandant of the Marine Corps and the Chief

of Naval Operations, in particular, have ex-

pressed concern about potential adverse im-

pact on sailors and Marines who volunteer

for extended sea duty and operational de-

ploymen.

The Secretary’s timely report on the admin-

istration of section 991 of title 10, United

States Code, due on March 31, 2002, will be

a key factor in determining the fu-

tures of the management of deployments

of service members.

Clarification of disability severance pay com-

putation (sect. 593)

The House amendment contained a provi-

sion (sect. 587) that would authorize the military spouses and helping those spouses

gain access to financial and other assistance

for training and education.

The Senate bill contained no similar provi-

sion.

The Senate recedes.

Transportation or storage of privately owned

vehicles on change of permanent station

(sec. 594)

The Senate bill contained a provision (sect.

585) that would authorize the Secretary of

Defense to provide transportation or storage of privately owned vehicles between permanent duty sta-

tions in the continental United States when it is more advantageous and cost effective for

the government.

The House amendment contained similar provision (sect. 991 and 582).

The Senate recedes with a clarifying

amendment.

Repeal of requirement for final Comptroller

General report relating to Army end strength al-

locations (sect. 595)

The House amendment contained a provi-

sion (sect. 585) that would repeal the require-

ment for the final report by the Comptroller General of the United States on the Total

Army Analysis process.

The Senate bill contained no similar provi-

sion.

The Senate recedes.

Continued Department of Defense administra-

tion of National Guard Challenge Program and Department of Defense STARBASE

Program (sect. 596)

The House amendment contained a provi-

sion (sect. 587) that, effective October 1, 2002, would eliminate the $62.5 million statutory
mander, U.S. Transportation Command, the Secretary of Defense, and the National Guard Bureau. The Senate recedes with an amendment that would eliminate the $62.5 million statutory limit on Department of Defense spending for STARBASE and Challenge programs. The Senate bill contained a provision (sec. 601) that would require the Secretary of Defense to submit, within six months of enactment of this Act, a report to the Committees on Armed Services of the Senate and the House of Representatives on the legislative and policy changes required to implement the recommendation of the Defense Science Board on proposals for the delivery of a member accused by a civil authority of parental kidnapping or a similar offense to the appropriate civil authority for trial. The Senate amendment contained a provision (sec. 562) that would codify the requirement that members of the armed forces for the purpose of meeting requirements for the minimum number of members and service affiliation on a funeral honors detail. The Senate recedes. Expanded application of reserve special selection board. The Senate amendment contained a provision (sec. 515) that would specify that National Guard members when serving on federal status shall be considered general honors details. The Senate recedes. The Senate recedes. The Senate amendment contained a provision (sec. 515) that would specify that members of the United States are members of the armed forces even when performing in a state status. Acceptance of fellowships, scholarships, or grants. The Senate recedes. The Senate amendment contained a provision (sec. 551) that would require that candidates for appointment as an officer in the Regular Army, Navy, Marine Corps, and Air Force, as long as they were either not considered for promotion because of administrative error, or were considered for promotion from below the promotion zone who were either not considered for promotion because of administrative error, or were considered for promotion because of merit. The Senate recedes. The Senate amendment contained a provision (sec. 540) that would extend through December 31, 2002, certain force drawdown transition authorities. The Senate recedes. Preparatory training for participation in or conduct of athletic competitions by the National Guard and the National Guard Bureau. The Senate amendment contained a provision (sec. 520) that would authorize members of the armed forces for the purpose of participating in the Funded Legal Education Program, and compete in qualifying athletic competitions and small arms competitions, and to use appropriated funds and National Guard facilities and equipment in connection with the conduct of or participation in these competitions. The Senate amendment contained a provision (sec. 507) that would permit an accused who had been convicted by a court-martial in a state status to be elected to the House of Representatives; the Senate amendment contained a provision (sec. 520) that would authorize members of the armed forces for the purpose of participating in the Funded Legal Education Program, and compete in qualifying athletic competitions and small arms competitions, and to use appropriated funds and National Guard facilities and equipment in connection with the conduct of or participation in these competitions.

The Senate amendment contained a provision (sec. 573) that would codify the requirement for regulations for delivery of military personnel to civil authorities when charged with certain offenses. The Senate amendment contained a provision (sec. 521) that would authorize the reserve special selection boards to consider officer candidates for recommendation for appointment as an officer in the Regular Army, Navy, Marine Corps and Air Force, as long as they were either not considered for promotion because of administrative error, or were considered for promotion because of merit. The Senate amendment contained a provision (sec. 540) that would extend through December 31, 2002, certain force drawdown transition authorities. The examination shall include, at a minimum: an assessment of the severity and type of personal financial challenges confronting service members; the magnitude of personal debt accumulated by service members; the adequacy of training and assistance programs available to service members; and the merits of other programs recommended to meet the needs of service members. The Senate recedes. The Senate amendment contained a provision (sec. 562) that would codify the requirement that members of the armed forces for the purpose of meeting requirements for the minimum number of members and service affiliation on a funeral honors detail. The Senate recedes. The Senate amendment contained a provision (sec. 551) that would specify that National Guard members when serving on federal status shall be considered general honors details. The Senate recedes. The Senate amendment contained a provision (sec. 515) that would specify that members of the United States are members of the armed forces even when performing in a state status. Acceptance of fellowships, scholarships, or grants. The Senate recedes. The Senate amendment contained a provision (sec. 540) that would extend through December 31, 2002, certain force drawdown transition authorities. The Senate recedes. Preparatory training for participation in or conduct of athletic competitions by the National Guard and the National Guard Bureau. The Senate amendment contained a provision (sec. 520) that would authorize members of the armed forces for the purpose of participating in the Funded Legal Education Program, and compete in qualifying athletic competitions and small arms competitions, and to use appropriated funds and National Guard facilities and equipment in connection with the conduct of or participation in these competitions.

The Senate amendment contained a provision (sec. 573) that would codify the requirement for regulations for delivery of military personnel to civil authorities when charged with certain offenses. The Senate amendment contained a provision (sec. 507) that would permit an accused who had been convicted by a court-martial in a state status to be elected to the House of Representatives; the Senate amendment contained a provision (sec. 520) that would authorize members of the armed forces for the purpose of participating in the Funded Legal Education Program, and compete in qualifying athletic competitions and small arms competitions, and to use appropriated funds and National Guard facilities and equipment in connection with the conduct of or participation in these competitions.

The Senate amendment contained a provision (sec. 515) that would specify that members of the United States are members of the armed forces even when performing in a state status. Acceptance of fellowships, scholarships, or grants. The Senate recedes. The Senate amendment contained a provision (sec. 540) that would extend through December 31, 2002, certain force drawdown transition authorities. The Senate recedes. Preparatory training for participation in or conduct of athletic competitions by the National Guard and the National Guard Bureau. The Senate amendment contained a provision (sec. 520) that would authorize members of the armed forces for the purpose of participating in the Funded Legal Education Program, and compete in qualifying athletic competitions and small arms competitions, and to use appropriated funds and National Guard facilities and equipment in connection with the conduct of or participation in these competitions.

The Senate amendment contained a provision (sec. 573) that would codify the requirement for regulations for delivery of military personnel to civil authorities when charged with certain offenses. The Senate amendment contained a provision (sec. 507) that would permit an accused who had been convicted by a court-martial in a state status to be elected to the House of Representatives; the Senate amendment contained a provision (sec. 520) that would authorize members of the armed forces for the purpose of participating in the Funded Legal Education Program, and compete in qualifying athletic competitions and small arms competitions, and to use appropriated funds and National Guard facilities and equipment in connection with the conduct of or participation in these competitions.

The Senate amendment contained a provision (sec. 515) that would specify that members of the United States are members of the armed forces even when performing in a state status. Acceptance of fellowships, scholarships, or grants. The Senate recedes. The Senate amendment contained a provision (sec. 540) that would extend through December 31, 2002, certain force drawdown transition authorities. The Senate recedes. Preparatory training for participation in or conduct of athletic competitions by the National Guard and the National Guard Bureau. The Senate amendment contained a provision (sec. 520) that would authorize members of the armed forces for the purpose of participating in the Funded Legal Education Program, and compete in qualifying athletic competitions and small arms competitions, and to use appropriated funds and National Guard facilities and equipment in connection with the conduct of or participation in these competitions.

The Senate amendment contained a provision (sec. 573) that would codify the requirement for regulations for delivery of military personnel to civil authorities when charged with certain offenses. The Senate amendment contained a provision (sec. 507) that would permit an accused who had been convicted by a court-martial in a state status to be elected to the House of Representatives; the Senate amendment contained a provision (sec. 520) that would authorize members of the armed forces for the purpose of participating in the Funded Legal Education Program, and compete in qualifying athletic competitions and small arms competitions, and to use appropriated funds and National Guard facilities and equipment in connection with the conduct of or participation in these competitions.

The Senate amendment contained a provision (sec. 515) that would specify that members of the United States are members of the armed forces even when performing in a state status. Acceptance of fellowships, scholarships, or grants. The Senate recedes. The Senate amendment contained a provision (sec. 540) that would extend through December 31, 2002, certain force drawdown transition authorities. The Senate recedes. Preparatory training for participation in or conduct of athletic competitions by the National Guard and the National Guard Bureau. The Senate amendment contained a provision (sec. 520) that would authorize members of the armed forces for the purpose of participating in the Funded Legal Education Program, and compete in qualifying athletic competitions and small arms competitions, and to use appropriated funds and National Guard facilities and equipment in connection with the conduct of or participation in these competitions.

The Senate amendment contained a provision (sec. 573) that would codify the requirement for regulations for delivery of military personnel to civil authorities when charged with certain offenses. The Senate amendment contained a provision (sec. 507) that would permit an accused who had been convicted by a court-martial in a state status to be elected to the House of Representatives; the Senate amendment contained a provision (sec. 520) that would authorize members of the armed forces for the purpose of participating in the Funded Legal Education Program, and compete in qualifying athletic competitions and small arms competitions, and to use appropriated funds and National Guard facilities and equipment in connection with the conduct of or participation in these competitions.

The Senate amendment contained a provision (sec. 515) that would specify that members of the United States are members of the armed forces even when performing in a state status. Acceptance of fellowships, scholarships, or grants. The Senate recedes. The Senate amendment contained a provision (sec. 540) that would extend through December 31, 2002, certain force drawdown transition authorities. The Senate recedes. Preparatory training for participation in or conduct of athletic competitions by the National Guard and the National Guard Bureau. The Senate amendment contained a provision (sec. 520) that would authorize members of the armed forces for the purpose of participating in the Funded Legal Education Program, and compete in qualifying athletic competitions and small arms competitions, and to use appropriated funds and National Guard facilities and equipment in connection with the conduct of or participation in these competitions.
Basic pay rate for certain reserve commissioned officers with prior service as an enlisted member or warrant officer (sec. 602)

The Senate bill contained a provision (sec. 602) that would authorize payment at the 0-1R, 0-2R, or 0-3R grade to reserve commissioned officers in the pay grade of 0-1, 0-2, or 0-3, who are not on active duty, but have accumulated the equivalent of four years of service and have been authorized by the Pay Rearmament Board to serve as a warrant officer or enlisted member.

The House amendment contained a similar provision (sec. 602).

The House recedes with an amendment that would make this provision effective on the date of enactment of this Act.

Reserve component compensation for distributed learning activities performed as inactive-duty training (sec. 603)

The Senate bill contained a provision (sec. 603) that would authorize compensation for members in grades E-4 and below for distributed learning activities performed as inactive-duty training.

The House amendment contained no similar provision.

The House recedes with an amendment that would authorize compensation for members of the uniformed services to pay members of the Selected Reserve upon successful completion of instruction using electronic-based distributed learning technologies to accomplish training requirements related to unit readiness or mobilization.

Subsistence allowances (sec. 604)

The Senate bill contained provisions (sec. 604 and 606) that would define the baseline for determining future rates for basic allowance for subsistence and clarify that only members with dependents are entitled to payment of the supplemental subsistence allowance.

The House amendment contained a similar provision (sec. 603).

The House recedes with a clarifying amendment.

Eligibility for temporary housing allowance while in travel or leave status between permanent duty stations (sec. 605)

The House amendment contained a provision (sec. 605) that would clarify that an annual allowance of $200 for uniforms may be paid to an officer so long as any previous allowance received did not exceed $400.

The Senate bill contained a similar provision (sec. 607).

The Senate recedes.

Uniform allowance for officers (sec. 606)

The House amendment contained a provision (sec. 606) that would authorize members of the uniformed services in pay grades below E-4 (with less than 4 years of service, prior to the date of enactment of this Act) a temporary housing allowance while on travel or leave status between permanent duty stations.

The Senate bill contained a similar provision (sec. 605).

The Senate recedes with a clarifying amendment.

Family separation allowance for members-electing to receive leaves of absence for health limitations of dependents (sec. 607)

The House amendment contained a provision (sec. 606) that would require the secretaries of the military departments to pay family separation allowance to members of the uniformed services who elect to serve unaccompanied tours of duty because the member is incapacitated by an illness or the movement of the member to the permanent duty station is denied for certified medical reasons.

The Senate bill contained a similar provision (sec. 607).

The Senate recedes with a clarifying amendment.

Subtitle B—Bonuses and Special Incentive Pays

One-year extension of certain bonus and special pay authorities for reserve forces (sec. 611)

The House amendment contained a provision (sec. 611) that would extend the authority to pay the special pay for critical skills for an additional year.

The Senate bill contained a provision (sec. 611) that would extend the authority to pay the special pay for critical skills for an additional year.

The Senate recedes.

One-year extension of certain bonus and special pay authorities for nurse officer candidates, registered nurses, and nurse anesthetists (sec. 612)

The House amendment contained a provision (sec. 612) that would extend the authority to pay the special pay for critical skills for an additional year.

The Senate bill contained a provision (sec. 612) that would extend the authority to pay the special pay for critical skills for an additional year.

The Senate recedes.

One-year extension of special pay and bonus authorities (sec. 613-614)

The Senate bill contained provisions (sec. 613) that would extend the authority to pay the special pay for critical skills for an additional year.

The House amendment contained a similar provision (sec. 613).

The Senate recedes.

The House amendment contained a similar provision (sec. 614).

The Senate recedes.

The Senate amendment contained a similar provision (sec. 614).

The Senate recedes.

The Senate amendment contained a similar provision (sec. 613).

The Senate recedes.

Installation payment authority for 15-year career status bonus (sec. 620)

The House amendment contained a provision (sec. 620) that would authorize the service secretaries to pay an installation bonus of up to $100,000 to officer candidates who enter into written service agreements to accept commissions as officers.

The Senate bill contained no similar provision.

The Senate recedes.

The Senate amendment contained a similar provision (sec. 619).

The Senate recedes.

The Senate amendment contained a similar provision (sec. 618).

The Senate recedes.

The Senate amendment contained a similar provision (sec. 618).

The Senate recedes.

The Senate amendment contained a similar provision (sec. 618).

The Senate recedes.

The Senate amendment contained a similar provision (sec. 618).

The Senate recedes.

The Senate amendment contained a similar provision (sec. 618).

The Senate recedes.

The Senate amendment contained a similar provision (sec. 618).

The Senate recedes.

The Senate amendment contained a similar provision (sec. 618).

The Senate recedes.

The Senate amendment contained a similar provision (sec. 618).

The Senate recedes.

The Senate amendment contained a similar provision (sec. 618).

The Senate recedes.

The Senate amendment contained a similar provision (sec. 618).

The Senate recedes.

The Senate amendment contained a similar provision (sec. 618).

The Senate recedes.

The Senate amendment contained a similar provision (sec. 618).

The Senate recedes.

The Senate amendment contained a similar provision (sec. 618).

The Senate recedes.

The Senate amendment contained a similar provision (sec. 618).

The Senate recedes.

The Senate amendment contained a similar provision (sec. 618).

The Senate recedes.

The Senate amendment contained a similar provision (sec. 618).

The Senate recedes.

The Senate amendment contained a similar provision (sec. 618).

The Senate recedes.

The Senate amendment contained a similar provision (sec. 618).

The Senate recedes.

The Senate amendment contained a similar provision (sec. 618).

The Senate recedes.

The Senate amendment contained a similar provision (sec. 618).

The Senate recedes.

The Senate amendment contained a similar provision (sec. 618).

The Senate recedes.

The Senate amendment contained a similar provision (sec. 618).

The Senate recedes.

The Senate amendment contained a similar provision (sec. 618).

The Senate recedes.

The Senate amendment contained a similar provision (sec. 618).

The Senate recedes.

The Senate amendment contained a similar provision (sec. 618).

The Senate recedes.

The Senate amendment contained a similar provision (sec. 618).

The Senate recedes.

The Senate amendment contained a similar provision (sec. 618).

The Senate recedes.

The Senate amendment contained a similar provision (sec. 618).

The Senate recedes.

The Senate amendment contained a similar provision (sec. 618).

The Senate recedes.

The Senate amendment contained a similar provision (sec. 618).

The Senate recedes.

The Senate amendment contained a similar provision (sec. 618).

The Senate recedes.

The Senate amendment contained a similar provision (sec. 618).

The Senate recedes.

The Senate amendment contained a similar provision (sec. 618).

The Senate recedes.

The Senate amendment contained a similar provision (sec. 618).

The Senate recedes.

The Senate amendment contained a similar provision (sec. 618).

The Senate recedes.

The Senate amendment contained a similar provision (sec. 618).

The Senate recedes.

The Senate amendment contained a similar provision (sec. 618).

The Senate recedes.

The Senate amendment contained a similar provision (sec. 618).

The Senate recedes.

The Senate amendment contained a similar provision (sec. 618).

The Senate recedes.

The Senate amendment contained a similar provision (sec. 618).

The Senate recedes.

The Senate amendment contained a similar provision (sec. 618).

The Senate recedes.

The Senate amendment contained a similar provision (sec. 618).

The Senate recedes.

The Senate amendment contained a similar provision (sec. 618).

The Senate recedes.

The Senate amendment contained a similar provision (sec. 618).

The Senate recedes.

The Senate amendment contained a similar provision (sec. 618).

The Senate recedes.

The Senate amendment contained a similar provision (sec. 618).

The Senate recedes.

The Senate amendment contained a similar provision (sec. 618).

The Senate recedes.

The Senate amendment contained a similar provision (sec. 618).

The Senate recedes.
The House amendment contained a provision that would authorize the Secretary of Defense to provide for retroactive payment of imminent danger pay to service members who served in specified areas in connection with Operation Enduring Freedom for duty performed between September 19, 2001 and October 31, 2001.

The Senate recedes with a clarifying amendment.

Payment for unused leave in excess of 60 days accrued by members of reserve components on active duty for one year or less (sec. 651)

The Senate recedes with a clarifying amendment.

The House amendment contained a provision (sec. 639) that would authorize the Secretary to expand family support programs to include family support services, such as crisis intervention, family counseling, family support services, such as child care, and youth services. Another provision (sec. 682) would authorize the Secretary of Defense to provide family education and support services to families of members of the armed services to the same extent that these services were provided during the Persian Gulf War.

The Senate recedes with a clarifying amendment.

The Senate recedes with an amendment that would: authorize payment of special compensation for retirees with service-connected disabilities rated at 60 percent or higher in fiscal year 2002; increase the amount of special compensation for retirees with disabilities rated at 70 percent or higher in fiscal year 2003; and increase the amount of special compensation for retirees with disabilities rated at 80 percent or higher in fiscal year 2005.

The Senate amendment contained a provision (sec. 641) that would authorize the Secretary to pay a $500 partial dislocation allowance to members of the uniformed services who are ordered to occupy or vacate government family housing to permit privatization or renovation, or for another reason unrelated to changes in permanent station.

The Senate recedes with a clarifying amendment.

The Senate recedes with a clarifying amendment.

The Senate amendment contained a provision (sec. 637) that would authorize the service secretaries to pay a $500 partial dislocation allowance to members of the uniformed services who are ordered to occupy or vacate government family housing to permit privatization or renovation, or for another reason unrelated to changes in permanent station.

The Senate amendment contained a similar provision (sec. 639).

The Senate recedes with a clarifying amendment.

The Senate recedes with an amendment that would make this provision effective for moves for which the order to move is issued on or after the date of enactment of this Act.

Eligibility for payment of subsistence expenses associated with occupancy of temporary lodging incident to reporting to first permanent duty station (sec. 632)

The Senate recedes with a clarifying amendment.

The Senate amendment contained a provision (sec. 632) that would authorize payment of subsistence expenses to officers making their first permanent change of station and would increase from $110 to $180 per day the maximum amount that may be paid to members of the uniformed services for temporary lodging and subsistence expenses incurred in the United States as a result of a permanent change of station.

The Senate recedes with a clarifying amendment.

The Senate recedes with an amendment that would increase the amount to $550 per change of station.

Minimum per diem rate for travel and transportation allowance for travel performed upon a change of permanent station and certain other travel (sec. 631)

Title C—Travel and Transportation Allowances

The Senate amendment contained a provision (sec. 651) that would equate per diem rates for military members for travel performed in connection with a change of permanent station and per diem rates for official travel within the continental United States of federal civilian employees and their dependents.

The Senate bill contained a similar provision.

The Senate recedes with a clarifying amendment.

The Senate recedes with an amendment that would authorize the Secretary of Veterans Affairs to pay a $500 partial dislocation allowance to members of the uniformed services who are ordered to occupy or vacate government family housing to permit privatization or renovation, or for another reason unrelated to changes in permanent station.

The Senate recedes with a clarifying amendment.

The Senate recedes with a clarifying amendment.

Travel and transportation allowances for family members to attend burial of a deceased member of the uniformed services (sec. 638)

The Senate recedes with a clarifying amendment.

The Senate recedes with an amendment that would provide for temporary lodging and subsistence allowance to a member when the member's move is issued on or after the date of enactment of this Act.

June 6, 2001

CONGRESSIONAL RECORD—HOUSE

The Senate recedes with an amendment that would make this provision effective for moves for which the order to move is issued on or after the date of enactment of this Act.

Allowances for travel performed in connection with members taking authorized leave between consecutive overseas tours (sec. 637)

The Senate recedes with an amendment that would authorize the service secretaries to designate the locations to which members of the uniformed services may travel at government expense while on leave between consecutive overseas tours.

The Senate recedes with a clarifying amendment.

The Senate amendment contained a provision (sec. 638) that would authorize allowances for family members and others to attend burial ceremonies of deceased members of the uniformed forces who die while on active duty or inactive duty.

The Senate recedes with a clarifying amendment.

The Senate amendment contained a provision (sec. 652) that would authorize payment for accrued leave in excess of the current limit of 60 days to certain members of the reserve components.

The Senate recedes with a clarifying amendment.

The amendment contained no similar provision.

Increased weight allowance for transportation of baggage and household effects for junior enlisted members (sec. 634)

The Senate recedes with an amendment that would increase the amount to $550 per change of station.

The House amendment contained a provision (sec. 633) that would authorize payment of a dislocation allowance to a member when the member's move is issued on or after the date of enactment of this Act.

The Senate recedes with a clarifying amendment.

The House amendment contained a provision (sec. 633) that would authorize payment of a dislocation allowance to a member when the member's move is issued on or after the date of enactment of this Act.

The Senate recedes with a clarifying amendment.

The Senate recedes with an amendment that would: authorize payment of special compensation for retirees with service-connected disabilities rated at 80 percent or higher in fiscal year 2002; increase the amount of special compensation for retirees with disabilities rated at 90 percent or higher in fiscal year 2003; and increase the amount of special compensation for retirees with disabilities rated at 100 percent or higher in fiscal year 2005.
from Department of Defense schools. The conferences also encourage the Secretary to accelerate the completion and dissemination of the High Stress Parenting Materials currently under development through an agreement with the Department of Agriculture.

The conferences are particularly concerned that families of National Guard and Reserve members who are geographically separated from military installations have services comparable to those provided at active duty installations. These services should be available to reservists comparable to rates paid by families using military child care and youth programs. Providing affordable child care and youth services to these families may require amending agreements between the military and other government or community-based organizations, as well as non-governmental organizations.

Authorization of transitional compensation and commissary and exchange benefits for dependents of commissioned officers of the Public Health Service and the National Oceanic and Atmospheric Administration who are separated for dependent duty (sec. 653)

The Senate bill contained a provision (sec. 663) that would authorize transitional benefits for the dependents of commissioned officers of the Public Health Service and the National Oceanic and Atmospheric Administration separated for dependent duty.

The House amendment contained no similar provision.

The House recedes.

Transfer of entitlement to educational assistance under Montgomery GI Bill by members of the Armed Forces with critical military skills (sec. 654)

The Senate bill contained a provision (sec. 539) that would authorize the service secretaries to permit certain service members with critical in demand military skills to transfer up to 18 months of unused basic Montgomery GI Bill benefits to family members.

The House amendment contained no similar provision.

The House recedes with a clarifying amendment.

LEGISLATIVE PROVISIONS NOT ADOPTED

Career sea pay

The Senate bill contained a provision (sec. 677) that would authorize do not pay by all military members, regardless of rank, pay grade, or accrued time in service, if they are assigned to qualifying sea duty.

The House amendment contained no similar provision.

The Senate recedes.

The conference report is pleased that the Navy has recently approved new enhanced sea pay rates and prescribed career sea pay to all sailors on sea duty, including those in pay grades E-1, E-2, and E-3. The concern is that any change in pay policy that would exclude members of any pay grade from receiving career sea pay who are otherwise eligible.

Equitable treatment of reservists performing inactive-duty training for receipt of aviation career incentive pay

The House amendment contained a provision (sec. 616) that would entitle qualified reservists to be paid the full amount of their monthly Aviation Career Incentive Pay in the same amount as paid to active duty aviators with the same number of years of aviation service.

The Senate bill contained no similar provision.

The House recedes.

Increase in basic allowance for housing in the United States

The Senate bill contained a provision (sec. 605) that would accelerate the current five-year plan to eliminate out-of-pocket housing expenses by two years, increasing the Basic Allowance for Housing so that, after September 30, 2002, it would not be less than the median rent for members in that grade and dependency status in that area.

The House amendment contained no similar provision.

The Senate recedes.

The conference report believes that service members should be required to pay some of their housing costs when unemployable and dependent members in that grade and dependency status in that area.

The House amendment contained no similar provision.

The Senate recedes.

The conference report believes that service members should not be required to pay some of their housing costs when unemployable and dependent members in that grade and dependency status in that area.

The House amendment contained no similar provision.

The Senate recedes.

TITLE VII—HEALTH CARE PROVISIONS

LEGISLATIVE PROVISIONS ADOPTED

Subtitle A—TRICARE Program Improvements

Tricare program improvements

The Senate amendment contained a provision (sec. 701) that would require TRICARE to provide incentives for members of the reserve components of the National Guard and Reserve for their annual cost contribution to the TRICARE program.

The House amendment contained a similar provision (sec. 701).

The Senate recedes with an amendment that would make the effective date 90 days after the date of enactment.

Improvements in administration of the TRICARE program (sec. 708)

The House amendment contained a provision (sec. 708) that would authorize the Secretary of Defense to enter into new contracts for support of delivery of health care under TRICARE by providing flexibility in the choice of contract vehicle and to reduce the nine-month contract start-up time for certain managed care support contractors.

The Senate bill contained no similar provision.

The Senate recedes with a clarifying amendment that would authorize the flexibility in the choice of contract vehicle and to reduce the nine-month contract start-up time by two years, increasing the Basic Allowance for Housing so that, after September 30, 2002, it would not be less than the median rent for members in that grade and dependency status in that area.

The House amendment contained no similar provision.

The Senate recedes.

An amendment that would authorize the flexibility in the choice of contract vehicle and to reduce the nine-month contract start-up time by two years, increasing the Basic Allowance for Housing so that, after September 30, 2002, it would not be less than the median rent for members in that grade and dependency status in that area.

The House amendment contained no similar provision.

The Senate recedes.

The conference report supports the plan to eliminate the TRICARE program's current legislative restrictions pertaining to health care contracting were the result of considerable review and oversight of the Defense Health Program by Congress. This provision will provide the Department of Defense the ability to employ the best contracting practices to improve TRICARE contracts. The conference wishes to allow for review of any proposed changes and a careful evaluation prior to permanent modification of legislation pertaining to the program.

The conferees are particularly concerned that any new contracting practices employed by the Department under this provision ensure a smooth transition for beneficiaries and strengthen the integration of health care delivery.

Subtitle B—Senior Health Care

Clarifications and improvements regarding the implementation of Defense Eligible Retiree Health Care Fund (sec. 711)

The Senate amendment contained a provision (sec. 715) that would: authorize all uniformed services to participate in TRICARE for Life; clarify that funding for the accrual fund must come from funds available for the health care programs of the participating uniformed services; clarify that Military Treatment Facilities may receive payments from the accrual fund; and limit the Department of Defense’s contribution to the accrual fund to an amount not to exceed expected payments from the fund in a given year.

The Senate bill contained no similar provision.

The Senate recedes with an amendment that would authorize all uniformed services to participate in TRICARE for Life; clarify that funding for the accrual fund must come from funds available for the health care programs of the participating uniformed services; and clarify that Military Treatment Facilities may receive payments from the accrual fund.

Subtitle C—Studies and Reports

Comptroller General study of health care coverage of members of the reserve components of the Armed Forces and the National Guard (sec. 711)

The Senate amendment contained a provision (sec. 715) that would require the Comptroller General of the United States to conduct a study

The Senate recedes.

The conference report (sec. 712) that would authorize the Secretary to pay certain travel expenses of a dependent accompanying a patient in travel for specialty care (sec. 706)
of the health care coverage of members of the Selected Reserve and to report on cost effective options for providing health care benefits to members of the Selected Reserve and the House.

The House amendment contained no similar provision.

The House recedes with a clarifying amendment.

Comptroller General study of adequacy and quality of health care provided to women under the Defense Health Program (sec. 722)

The Senate bill contained a provision (sec. 718) that would direct the Comptroller General of the United States to conduct a study of the adequacy and quality of the health care provided to women under the Defense Health Program.

The House amendment contained no similar provision.

The House recedes with an amendment that would change the date to May 1, 2002, by which the Comptroller General must report the results of the study to Congress.

Repeal of obsolete report requirement (sec. 723)

The House amendment contained a provision (sec. 718) that would repeal a mandatory reporting requirement in the National Defense Authorization Act for Fiscal Year 2000 (Public Law 106-65; 10 U.S.C. 1074g note) by striking subsection (d).

The Senate bill contained no similar provision.

The Senate recedes.

Comptroller General report on requirement to provide screenings, physical examinations, and other care for certain members (sec. 724)

The Senate bill contained a provision (sec. 719) that would direct the Secretary of Defense to conduct a study to determine if, and when, the Secretary of Defense should require eligible members to receive health care solely through the Department of Defense.

The House amendment contained no similar provision.

The House recedes with an amendment that would require the Comptroller General to report on the advisability, need, and cost effectiveness of providing these services.

Subtitle D—Other Matters

Prohibition against requiring military retirees to receive health care solely through the Department of Defense (sec. 725)

The Senate bill contained a provision (sec. 711) that would prohibit the Secretary of Defense from requiring military retirees to receive health care solely through the Department of Defense.

The House amendment contained no similar provision.

The House recedes with an amendment that would require the Comptroller General to report on the advisability, need, and cost effectiveness of providing these services.

Pilot program to conduct pre-separation physical examinations (sec. 726)

The Senate bill contained a provision (sec. 711) that would conduct a congressionally mandated pilot program to provide a physical examination for members of the Selected Reserve prior to separation.

The House amendment contained no similar provision.

The House recedes.

Comptroller General report on requirement to provide screenings, physical examinations, and other care for certain members (sec. 727)

The Senate bill contained a provision (sec. 719) that would require the Secretary of Defense to conduct physical examinations of members in the Selected Reserve.

The House amendment contained no similar provision.

The House recedes with an amendment that would require the Comptroller General to report on the advisability, need, and cost effectiveness of providing these services.

Bill provides for transitional health care benefits for certain members who are separated from active duty (sec. 728)

The Senate bill contained a provision (sec. 719) that would make permanent the authority to provide transitional health care benefits for members who are involuntarily separated from active duty, members of reserve components who are separated from active duty of any period prior to December 31, 2003, in support of a contingency operation, and members separated from active duty when involuntarily retained on active duty under section 12305 of title 10, United States Code.

The House amendment contained no similar provision.

The House recedes.

Two-year extension of health care management and training program (sec. 729)

The Senate bill contained a provision (sec. 714) that would extend, until December 31, 2003, the demonstration program of simulation modeling to improve health care delivery for veterans under the Defense Health Program authorized in section 733 of the Fiscal Year 2001 National Defense Authorization Act.

The House amendment contained no similar provision.

The House recedes.

Joint DOD-VA pilot program for providing graduate medical education and training for physicians (sec. 730)

The Senate bill contained a provision (sec. 538) that would authorize the Secretary of Defense and the Secretary of Veterans Affairs to jointly conduct a pilot program for graduate medical education and training for medical personnel of the armed forces in Department of Veterans Affairs' medical centers.

The House amendment contained no similar provision.

The House recedes with an amendment that would include the authority to provide graduate medical education and training for physician employees of the Department of Veterans Affairs as part of the pilot program.

LEGISLATIVE PROVISIONS NOT ADOPTED Effective date

The Senate bill contained a provision (sec. 710) that would make the TRICARE Benefits Modernization provisions effective on October 1, 2001.

The House amendment contained no similar provision.

The Senate recedes.

TITLE VIII—ACQUISITION POLICY, ACQUISITION MANAGEMENT, AND RESEARCH AND DEVELOPMENT ITEMS OF SPECIAL INTEREST Management reform initiatives

The Secretary of Defense has testified that the Department of Defense (DOD) should be able to achieve five percent savings through increased competition, improved program management, and other management improvements. These savings goals are consistent with analysis presented in numerous governmental and advisory commission reports in past years. For example, in November 2000 the General Accounting Office (GAO) reported that “[m]ost DOD contracting officers included in our review did not follow the GAO’s standards for competitive acquisition. Agencies need to reestablish procedures intended to ensure fair and reasonable prices when using the Federal

Enhancement of medical product development (sec. 733)

The Senate amendment contained a provision (sec. 733) that would authorize the Secretary of Defense to waive the prohibition against research in order to advance research into the treatment of combat casualties.

The Senate bill contained no similar provision.

The Senate recedes with an amendment that would require the Secretary of Defense to waive the prohibition against research and developing products intended to ensure fair and reasonable prices when using the Federal

The House amendment contained a clarifying amendment that would preclude the Secretary of Defense from waiving the prohibition against requiring nonavailability statements for maternally related items.

The Senate recedes with a clarifying amendment that would preclude the Secretary of Defense from waiving the prohibition against requiring nonavailability statements for maternally related items.

Transitional health care for members separated from active duty (sec. 736)

The Senate bill contained a provision (sec. 719) that would make permanent the authority to provide transitional health care benefits for members who are involuntarily separated from active duty, members of reserve components who are separated from active duty of any period prior to December 31, 2003, in support of a contingency operation, and members separated from active duty when involuntarily retained on active duty under section 12305 of title 10, United States Code.

The House amendment contained no similar provision.

The House recedes.

Modernization provisions effective on October 1, 2001.

The House amendment contained no similar provision.

The House recedes with an amendment that would allow the Secretary of Defense and the Secretary of Veterans Affairs to jointly conduct a congressionally mandated pilot program to conduct physical examinations of members in the Selected Reserve prior to separation.

The House amendment contained no similar provision.

The Senate recedes.
Supply Schedule.” The GAO also found, in its January 2001 assessment of performance and accountability in the DOD, that “a number of the Department’s key business processes are inefficient and ineffective,” including acquisition processes that are “still too slow and costly” and systems deficiencies that “significantly contribute to inefficient payments.” In a 2001 report, the DOD Inspector General, in an August 2001 report, stated that the DOD is “not obtaining the benefits of sustained competition and reduced costs” that are permitted under current law. The Business Executives for National Security (BENS) Tail-To-Tooth Commission also stated in a 2001 report that “billions continue to be wasted on inefficient business practices.” Based on these and other reports, and the Secretary’s commitment to improvements in this area, the conferees believe that the Department should be able to achieve significant savings in fiscal year 2002 through more efficient management; reform of business processes; improved processes for the procurement of property and services; and increased use of best business practices adopted from the private sector.

TITLE VIII—Procurement Management

Management of procurement of services (sec. 801)

The Senate bill contained a provision (sec. 801) that would improve the Department of Defense’s management of the acquisition of services by requiring the Department to: (1) establish a management structure for purchases of services; (2) collect and analyze data on services; and (3) establish a program review process for major purchases of services.

The House amendment contained no similar provision.

The House recedes with an amendment that would: (1) ensure that the management structure for the procurement of services shall be comparable to the management structure already in place for the procurement of products; (2) clarify that officials designated to exercise responsibility for the management of the procurement of services may delegate their authority in accordance with criteria established by the Department; and (3) establish requirements and streamline the reporting requirements in the provision.

Savings goals for procurements of services (sec. 802)

The Senate bill contained a provision (sec. 802) that would establish savings goals for the Department of Defense to achieve through the use of improved management practices for procurement of services, including performance-based services contracting; competition for task orders under services contracts; and program review, spending analyses, and other best practices commonly used in the commercial sector.

The House amendment contained no similar provision.

The House recedes with an amendment deleting the requirement for a report by the Comptroller General. The conferees note that this provision directs the Department to achieve savings through improved management practices. It is not intended to require the Department to require the required support services provided by contractors.

Competition requirement for purchase of services pursuant to multiple award contracts (sec. 803)

The Senate bill contained a provision (sec. 803) that would require that purchases of products and services in excess of $50,000 awarded under a multiple award contract shall be made on a competitive basis, subject to limited exceptions.

The House amendment contained no similar provision.

The House recedes with an amendment that would extend the program for three years.

Separate provision. The Senate recedes.

Increase of assistance limitation regarding Procurement Technical Assistance Program (sec. 813)

The House amendment contained a provision (sec. 860) that would increase the assistance limitation for the Procurement Technical Assistance Program.

Amendments to General Contractors, Procedures, and Related Matters

Amendments to conform with administrative changes in acquisition phase and milestone terminology and to make related adjustments in certain requirements applicable at milestone transition points (sec. 821)

The Senate bill contained a provision (sec. 831) that would make a series of modifications to title 10, United States Code, and related statutes, to substitute references to the acquisition milestones established by revised Department of Defense Instruction 5000.2 for obsolete references currently contained in those statutes.

The House amendment contained a similar provision (sec. 801).

The House recedes with a technical amendment.

Subtitle C—Amendments to General Contractors, Procedures, and Related Matters

Procurement of services from a required source (sec. 811)

The Senate bill contained a provision (sec. 811) that would require the Department to reduce needed supplies to those that would: (1) ensure that the management structure already exists in place for the procurement of products; (2) clarify that officials designated to exercise responsibility for the management of the procurement of services may delegate their authority in accordance with criteria established by the Department; and (3) establish requirements and streamline the reporting requirements in the provision.

Reports on maturity of technology at initiation of Major Defense Acquisition Programs (sec. 804)

The Senate bill contained a provision (sec. 804) that would require that critical technologies be successfully demonstrated in a relevant environment before they may be incorporated into a major defense acquisition program.

The House amendment contained no similar provision.

The House recedes with an amendment that would: (1) extend the program until January 1, 2005; (2) require the Department to report the results of its “technology maturity” efforts; and (3) require the Department to prepare an annual report to Congress on the status of “technology maturity” efforts.

Savings goals for procurements of services (sec. 802)

The Senate bill contained a provision (sec. 802) that would establish savings goals for the Department of Defense to achieve through the use of improved management practices for procurement of services, including performance-based services contracting; competition for task orders under services contracts; and program review, spending analyses, and other best practices commonly used in the commercial sector.

The House amendment contained no similar provision.

The House recedes with an amendment deleting the requirement for a report by the Comptroller General. The conferees note that this provision directs the Department to achieve savings through improved management practices. It is not intended to require the Department to require the required support services provided by contractors.

Competition requirement for purchase of services pursuant to multiple award contracts (sec. 803)

The Senate bill contained a provision (sec. 803) that would require that purchases of products and services in excess of $50,000 awarded under a multiple award contract shall be made on a competitive basis, subject to limited exceptions.

The House amendment contained no similar provision.

The House recedes with an amendment that would extend the program for three years.

Separate provision. The Senate recedes.

Increase of assistance limitation regarding Procurement Technical Assistance Program (sec. 813)

The Senate bill contained a provision (sec. 860) that would increase the assistance limitation for the Procurement Technical Assistance Program.

Amendments to General Contractors, Procedures, and Related Matters

Amendments to conform with administrative changes in acquisition phase and milestone terminology and to make related adjustments in certain requirements applicable at milestone transition points (sec. 821)

The Senate bill contained a provision (sec. 831) that would make a series of modifications to title 10, United States Code, and related statutes, to substitute references to the acquisition milestones established by revised Department of Defense Instruction 5000.2 for obsolete references currently contained in those statutes.

The House amendment contained a similar provision (sec. 801).

The House recedes with a technical amendment.

Follow-on production contracts for products developed pursuant to prototype projects (sec. 822)

The Senate bill contained a provision (sec. 885) that would authorize the Department of Defense to enter follow-on production contracts for a limited number of items developed pursuant to transactions (other than contracts, grants, or cooperative agreements) on a sole-source basis.

The House amendment contained no similar provision.

The House recedes.

One-year extension of program applying simplified procedures to certain commercial items (sec. 823)


The Senate bill contained no similar provision.

The Senate recedes with an amendment that would extend the program until January 1, 2003.

The House amendment contained a provision (sec. 860) that would increase the assistance limitation for the Procurement Technical Assistance Program.

Amendments to General Contractors, Procedures, and Related Matters

Amendments to conform with administrative changes in acquisition phase and milestone terminology and to make related adjustments in certain requirements applicable at milestone transition points (sec. 821)

The Senate bill contained a provision (sec. 831) that would make a series of modifications to title 10, United States Code, and related statutes, to substitute references to the acquisition milestones established by revised Department of Defense Instruction 5000.2 for obsolete references currently contained in those statutes.

The House amendment contained a similar provision (sec. 801).

The House recedes with a technical amendment.

Follow-on production contracts for products developed pursuant to prototype projects (sec. 822)

The Senate bill contained a provision (sec. 885) that would authorize the Department of Defense to enter follow-on production contracts for a limited number of items developed pursuant to transactions (other than contracts, grants, or cooperative agreements) on a sole-source basis.

The House amendment contained no similar provision.

The House recedes.
Acquisition workforce qualifications (sec. 824)

The Senate bill contained a provision (sec. 831) that would require the Secretary of Defense to report on the implementation of the recommendations of the Department of Defense Acquisition 2004 Task Force included in the report entitled “Shaping the Civilian Acquisition Workforce of the Future.” The House amendment contained no similar provision.

The Senate recedes.

Subtitle D—Other Matters

Identification of errors made by executive agencies in payments to contractors and recovery of erroneously paid (sec. 431)
The House amendment contained a series of provisions (secs. 811–819) that would require executive agencies to conduct a program to recover erroneously made payments.

The Senate bill contained no similar provision.

The Senate recedes with an amendment that would modify the recovery audit provisions to: (1) modify requirements for the disposition of recovered funds; (2) delete funding requirements for the management improvement program; and (3) delete a provision relating to liability for violation of privacy requirements.

Codification and modification of provision of law known as the “Berry Amendment” (sec. 832)
The House amendment contained a provision (sec. 805) that would codify the requirements of the “Berry Amendment” enacted as section 8006 of the Department of Defense Appropriations Act, 2003 (P.L. 108-70), and modify those requirements to: (1) require advance congressional notification of all waivers; (2) specifically include parochial items on the list of items covered; and (3) clarify that non-appropriated fund entities are not covered.

The Senate bill contained no similar provision.

The Senate recedes with an amendment that would modify the requirements of the “Berry Amendment” and clarify that non-appropriated fund entities are not covered.

The conferees urge the Department to comply with a reasonable notification request from the Armed Services Committee of the Senate with respect to the acquisition workforce qualifications established in section 1724 for members of the acquisition workforce.

Report on implementation of recommendations of the Acquisition 2005 Task Force (sec. 825)
The Senate bill contained a provision (sec. 811) that would require the Secretary of Defense to report on the implementation of the recommendations of the Department of Defense Acquisition 2005 Task Force. This provision was included in the report entitled “Shaping the Civilian Acquisition Workforce of the Future.”

The House amendment contained no similar provision.

The Senate recedes.

The Senate recedes with an amendment that would require the Secretary of Defense to recommend that the head of a contracting agency shall ensure that muni-

Identification of errors made by executive agencies in payments to contractors and recovery of erroneously paid.

Codification and modification of provision of law known as the “Berry Amendment” (sec. 832)

The Senate bill contained a provision (sec. 805) that would codify the requirements of the “Berry Amendment” enacted as section 8006 of the Department of Defense Appropriations Act, 2003 (P.L. 108-70), and modify those requirements to: (1) require advance congressional notification of all waivers; (2) specifically include parochial items on the list of items covered; and (3) clarify that non-appropriated fund entities are not covered.

The Senate bill contained no similar provision.

The Senate recedes with an amendment that would modify the recovery audit provisions to: (1) modify requirements for the disposition of recovered funds; (2) delete funding requirements for the management improvement program; and (3) delete a provision relating to liability for violation of privacy requirements.

Codification and modification of provision of law known as the “Berry Amendment” (sec. 832)

The Senate bill contained a provision (sec. 805) that would codify the requirements of the “Berry Amendment” enacted as section 8006 of the Department of Defense Appropriations Act, 2003 (P.L. 108-70), and modify those requirements to: (1) require advance congressional notification of all waivers; (2) specifically include parochial items on the list of items covered; and (3) clarify that non-appropriated fund entities are not covered.

The Senate bill contained no similar provision.

The Senate recedes with an amendment that would modify the requirements of the “Berry Amendment” and clarify that non-appropriated fund entities are not covered.

The conferees urge the Department to comply with a reasonable notification request from the Armed Services Committee of the Senate with respect to the acquisition workforce qualifications established in section 1724 for members of the acquisition workforce.
The Senate bill contained a provision (sec. 901) that would establish a new position requiring Senate confirmation for Personnel and Readiness within the Office of the Secretary of Defense (OSD) known as the Deputy Under Secretary of Defense for Personnel and Readiness. The provision would also reduce the number of assistant secretaries of defense from nine to eight.

The House amendment contained no similar provision.

The Senate bill recites a clarifying amendment.

The conferees note that the creation of a Deputy Under Secretary for Personnel and Readiness will bring the number of deputy under secretaries within the OSD to nine, only four of which require Senate confirmation. Further, there is no consistent organizational approach to the responsibilities and authorities of deputy under secretaries, assistant secretaries, and directors of programs throughout the four under secretariats within the OSD. The conferees are concerned with this arrangement and have urged the Secretary of Defense elsewhere to report to submit a comprehensive plan to the Committees on Armed Services of the Senate and the House of Representatives on the optimal organizational structure for the OSD.

The Senate bill contained a provision (sec. 902) that would express the sense of Congress that the Secretary of Defense should consider the establishment of an Office of the Secretary of Defense and the Secretary of Defense to advise the Secretary on the various aspects of force transformation and would further express the sense of Congress that the Secretary of Defense consider providing funding adequate for sponsoring selective prototyping efforts, wargames, and studies and analysis and for appropriate staffing, as recommended by the director of such an Office of Transformation.

The Senate bill contained no similar provision.

The Senate bill recites with an amendment that reflects the latest developments in the Department of Defense, including the decision by the Secretary of Defense to establish an Office of Transformation.

The House amendment contained a provision (sec. 906) that would delay the implementation of a Naval Sea Systems Command (NAVSEA) reorganization and transformation authority policy until 60 days after the Secretary of the Navy provides a report on the Navy’s plans and justification for the proposed reorganization.

The House amendment contained no similar provision.

The Senate bill recites with an amendment that would prohibit the Secretary of the Navy from granting final approval for the reorganization of engineering and technical authority policy within NAVSEA until 45 days after the Secretary submits to the congressional defense committees a report on the details of the reorganization.

Space Activities (secs. 911–915)

The Senate bill contained a series of provisions (secs. 911–916) that would address concerns about the Department of Defense (DOD) management of space activities. The provisions would provide the Secretary of Defense discretion to establish a new position of Under Secretary of Defense for Space, Intelligence, and Information; would establish the duties of the position, including serving as the Director of the National Reconnaissance Office; and would require a report from the Secretary on the proposed organization of that office. Upon establishment of the new Under Secretary, the provisions would establish an additional Assistant Secretary of Defense and require that two of the total number of assistant secretaries would have as their principle duties supervision of activities related to space information. Both would report to the Under Secretary of Defense for Space, Intelligence, and Information.

The conferees recognize that the importance of space programs, projects and activities in support of military activities continues to grow. In the interest of improving the efficiency and effectiveness of U.S. military operations, the conferees agree to a provision (sec. 912) that would require the Secretary of the Air Force to submit a report on steps taken to improve management, organization and oversight of space programs, space activities, and funding and their officer positions.

The Senate bill contained no similar provision.

The Senate bill provided discretionary authority for space programs and acquisition programs carried out through joint program offices and, to the maximum extent practicable, would ensure that the secretaries of the Marine Corps, and Air Force are assigned to and hold leadership positions in such joint program offices. This provision would also direct the Secretary of Defense to establish an office in the Office of the National Security Space Architect as joint duty assignments as appropriate.

The Senate bill contained a provision (sec. 914) that the Secretary of Defense would direct the Secretary of the Air Force to establish a separate space career field; and prohibit the commander of the Space Command from any service should be appointed as Commander-in-Chief, U.S. Space Command, and that the appointee be a four-star general or flag officer.

The Senate bill also contained provisions to clarify the roles of the under secretaries; the authority and resources for space programs; and establish the duties of the Deputy Under Secretary for Personnel and Readiness. The conferees recognize that the importance of space programs, projects and activities in support of military activities continues to grow. In the interest of improving the efficiency and effectiveness of U.S. military operations, the conferees agree to a provision (sec. 912) that would require the Secretary of the Air Force to submit a report on steps taken to improve management, organization and oversight of space programs, space activities, and funding and their officer positions.

The Senate bill also contained provisions that would provide discretionary authority for space programs and acquisition programs carried out through joint program offices and, to the maximum extent practicable, would ensure that the secretaries of the Marine Corps, and Air Force are assigned to and hold leadership positions in such joint program offices. This provision would also direct the Secretary of Defense to establish an office in the Office of the National Security Space Architect as joint duty assignments as appropriate.

The Senate bill contained a provision (sec. 914) that the Secretary of Defense would direct the Secretary of the Air Force to establish a separate space career field; and prohibit the commander of the Space Command from any service should be appointed as Commander-in-Chief, U.S. Space Command, and that the appointee be a four-star general or flag officer.

The Senate bill also contained provisions to clarify the roles of the under secretaries; the authority and resources for space programs; and establish the duties of the Deputy Under Secretary for Personnel and Readiness. The conferees recognize that the importance of space programs, projects and activities in support of military activities continues to grow. In the interest of improving the efficiency and effectiveness of U.S. military operations, the conferees agree to a provision (sec. 912) that would require the Secretary of the Air Force to submit a report on steps taken to improve management, organization and oversight of space programs, space activities, and funding and their officer positions.

The Senate bill also contained provisions that would provide discretionary authority for space programs and acquisition programs carried out through joint program offices and, to the maximum extent practicable, would ensure that the secretaries of the Marine Corps, and Air Force are assigned to and hold leadership positions in such joint program offices. This provision would also direct the Secretary of Defense to establish an office in the Office of the National Security Space Architect as joint duty assignments as appropriate.

The Senate bill also contained provisions to clarify the roles of the under secretaries; the authority and resources for space programs; and establish the duties of the Deputy Under Secretary for Personnel and Readiness. The conferees recognize that the importance of space programs, projects and activities in support of military activities continues to grow. In the interest of improving the efficiency and effectiveness of U.S. military operations, the conferees agree to a provision (sec. 912) that would require the Secretary of the Air Force to submit a report on steps taken to improve management, organization and oversight of space programs, space activities, and funding and their officer positions.
Commission and may inadvertently be a source of new problems. The conferees will carefully review the reports required in sections 913 and 914 and will consider whether there is a need for future additional organizational and management reforms.

Noting that the Space Commission also concluded that the depth of experience and technical expertise in space operations and technology has suffered over the past decade, the conferees believe establishing a space career field in the Air Force that includes development of space systems and development of space doctrine and operational concepts is key to sustaining U.S. leadership in space. The Chief of Staff of the Air Force Command on October 18, 2001, the conferees expect that the commander of Air Force Space Command will be assigned appropriate responsibility for managing the space career field.

The conferees further understand that the Secretary of Defense stated his intention to establish a “virtual major force program” to provide better visibility and insight into DOD funding for space programs and activities. The conferees note that senior DOD officials have contended that establishing a major force program (MFP) for space programs might have serious unintended consequences, although no such consequences have ever been described. The conferees recognize, however, that a virtual MFP—the designation of funding for space programs and activities without formally creating a space MFP—could represent a more flexible approach. Therefore, the conferees expect the virtual MFP for space to be included in the Air Force Space Command Program submitted with the 2003 fiscal year budget request.

The conferees, in section 912 of this bill, provided sufficient flexibility in general officer limits to ensure that the commander of Air Force Space Command will serve in the grade of general. The conferees also believe that the officer in this position should not serve concurrently as commander of the North American Air Defense Command or as Commander-in-Chief of U.S. Strategic Command. The conferees understand that the Secretary intends to implement these Space Commission recommendations and will continue to monitor the Department’s actions in these matters.

Subtitle C—Reports

Revised requirement for Chairman of the Joint Chiefs of Staff to advise Secretary of Defense on the assignment of roles and missions to the armed forces (sec. 921)

The House amendment contained a provision (sec. 904) that would require the Chairman of the Joint Chiefs of Staff to submit a revised report on the assignment of roles and missions of the armed forces to the Secretary of Defense every three years. The Senate amendment would amend section 118 of title 10, United States Code, to require the Chairman to conduct such a review as part of the Quadrennial Defense Review (QDR) process and that the results of that review be included in the Chairman’s assessment of the QDR that is submitted to Congress no later than one year after the date of the enactment of this Act a separate assessment of the assignment of roles and missions of the armed forces based upon the findings in the 2001 QDR issued by the Secretary of Defense on September 30, 2001.

Revised requirements for content of annual report on joint warfighting experimentation (sec. 922)

The Senate bill contained a provision (sec. 905) that would amend section 485 of title 10, United States Code, to clarify some of the contents of the annual joint warfighting report and require the inclusion of a specific assessment of whether there is a need for a major force program, or some other resource management mechanism, for funding joint experimentation and for funding the rapid development and acquisition of uniquely joint warfighting technologies that have been empirically demonstrated through such experimentation.

The House amendment contained no similar provision.

The House recedes with an amendment that would clarify that the changes would be made to current references to the Military Air Command.

Organizational realignment for Navy Director for Expeditionary Warfare (sec. 923)

The House amendment contained a provision (sec. 907) that would amend section 503(a) of title 10, United States Code, with respect to the Office of the Deputy Chief of Naval Operations within which the Director for Expeditionary Warfare shall be located.

The Senate bill contained a similar provision (sec. 904).

The Senate recedes.

LEGISLATIVE PROVISIONS NOT ADOPTED

Revisions in acquisition and support workforce

The Senate recedes.

Responsibility of the Under Secretary of the Air Force for acquisition of space launch vehicles and space launch services

The Senate amendment (sec. 902) that would assign responsibility for the acquisition of space launch vehicles and space launch services for the Department of Defense and the National Reconnaissance Office (NRO) to the Under Secretary of the Air Force, the Senate recedes.

The House amendment contained no similar provision.

The Senate recedes.

The conferees note that the Air Force has managed and contracted for the acquisition of space launch vehicles and support services for the Department of Defense and the National Reconnaissance Office (NRO) for acquisition of space vehicles and services.

Subtitle D—Other Matters

Conforming amendments relating to change of name of Military Airlift Command to Air Mobility Command (sec. 931)

The Senate amendment contained a provision (sec. 901) that would change the name of the United States Command to the former Military Airlift Command to refer to the command by its current designation as the Air Mobility Command.

Revised requirements for content of annual report on joint warfighting experimentation (sec. 932)

The Senate amendment contained a provision (sec. 905) that would amend section 913 of this bill, Revised joint report on establishment of national collaborative information analysis capability (sec. 902)

The House amendment contained a provision (sec. 903) that would require the Secretary of Defense and the Director of Central Intelligence to submit a revised report as alternatives for the establishment of a national collaborative information analysis capability. The provision would direct that the revised report focus on only the range of architecture alternatives that would involve the participation of all federal agencies involved in the collection of intelligence.

The Senate amendment contained no similar provision.

The House amendment contained a provision (sec. 904) that would amend section 914 of this bill, Revised joint report on establishment of national collaborative information analysis capability (sec. 902)

The Senate amendment contained a provision (sec. 903) that would require the Secretary of Defense and the Director of Central Intelligence to submit a revised report as alternatives for the establishment of a national collaborative information analysis capability. The provision would direct that the revised report focus on only the range of architecture alternatives that would involve the participation of all federal agencies involved in the collection of intelligence.

The Senate amendment contained no similar provision.

The Senate recedes with an amendment that would require that the report identify legislative or regulatory changes that would be needed in order to implement the preferred architecture in the report.

The conferees note that the original provision in the Floyd D. Spence National Defense Authorization Act for Fiscal Year 2001 included direction that the architectures contemplated for the original report, and, by reference to the revised report, should be consistent with requirements of the Privacy Act of 1974, as amended.

Title X—General Provisions

Counter-Drug Activities

The budget request for drug interdiction and other counter-drug activities of the Department of Defense (DOD) for fiscal year 2002 totaled approximately $1.9 billion: $302.4 million in the central transfer account; $166.8 million in the operating budgets of the military services for authorized counter-drug operations; and $12.5 million in the military construction account for infrastructure improvements at the forward operating locations.

The conference recommends the following fiscal year 2002 budget for the Department’s central transfer account.

[In millions of dollars; may not add due to rounding]

Fiscal Year 2002 Counter-drug Request

$820.381
Increases:
National Guard Support ............. 16.0
Operation Caper Focus ............ 4.0
Southwest Border Fence .......... 5.0

Decreases:
AWARCs Tactical Operations Sup-
port .................................. 2.5
Counter-drug Tanker Operations
Tethered Aerostat Radar System easting ....................................... 1.0
E-2 Support .......................... 1.0
Peru Riverine Program ............ 5.0
Tracker Aircraft ..................... 2.0
Regional Operations Support
Evaluation ........................... 4.0
Patrol Coastal ........................ 1.5
Tethered Aerostat Radar System 8.0
Fiscal Year 2002 Counter-drug Fund-
ing .................................. 820,381

National Guard counter-drug activities
The conference agrees to authorize an additional $16.5 million for the counter-drug ac-
tivities of the National Guard, including Na-
tional Guard State Plans and the National
Guard Counter-drug Schools.

Operation Caper Focus
The conferees also agree to authorize an additional $4.0 million for Operation Caper Focus.
They noted the initiative to disrupt narcotics trafficking in the Eastern Pacific.
To the extent that assets become available, the conferees expect the Secretary of De-
fense to make them available for Operation Caper Focus.

Tethered Aerostat Radar System
The conferees direct that a higher priority be given to operational availability of the
Tethered Aerostat Radar System than to its modernization.

Items of Special Interest
Automobile Safety Program
The conferees are concerned with the num-
ber of deaths and serious injuries to military service members and Department of Defense
civilian employees due to automobile collis-
sions and strongly support innovative safety programs designed to eliminate these acci-
dents. The conferees understand that an automobile safety program recently con-
ducted at Fort Polk, Louisiana is proving to be a sound and successful attempt at acci-
dent reduction. The conferees recommend that the Secretary of Defense consider an ex-
pansion of the program to assist in achieving the Department’s safe driving goals.

Legislative Provisions Adopted
Subtitle A—Financial Matters
Authority to transfer naval vessels to certain
foreign countries (sec. 1001)
The Senate bill contained a provision (sec.
1001) that would authorize the transfer of militar-
y vessels to certain foreign nations for the
following activities:
1. Research, development, test and evalua-
tion of ballistic missile defense programs;
2. Activities for combating terrorism.

The House recedes.

Authorization of supplemental appropriations
for fiscal year 2001 (sec. 1003)
The Senate bill contained a provision (sec.
1003) that would authorize the supplemental
appropriations enacted in the Supplemental
Appropriations Act, 2001 (Public Law 107–20)
which provided supplemental funding for De-
partment of Defense programs including in-
creased health care costs, operating expen-
ses, and utility costs.

The House amendment contained no simi-
lar provision.

The Senate recedes.

United States contribution to NATO com-
mon-funded budgets in fiscal year 2002 (sec. 1004)
The Senate amendment contained a provision (sec.
1004) that would authorize the United States contri-
bution to NATO common-funded budgets for
fiscal year 2002, including the use of unex-
pended balances, and resolution of ratifica-
tion for the Protocol to the North Atlantic
Treaty of 1949 on the Accession of Poland, Hungari-
y and the Czech Republic contained a provision (sec.
1004) requiring a specific authorization for U.S. payments to the
common-funded budgets of NATO for each fiscal year, begin-
ing in fiscal year 1999, that the House amendment contained no simi-
lar provision.

The Senate recedes.

Limitation on funds for Bosnia and Kosovo
Peacekeeping Operations for fiscal year 2002
(sec. 1005)
The House amendment contained a provi-
sion (sec. 1005) that would limit the amount of funds authorized to be appropriated for in-
cremental costs of the armed forces for
peacekeeping operations in Bosnia and Kosovo in fiscal year 2002 to the amounts contained in the House amendment of $1,315.6 million for Bosnia and $1,528.6 million for Kosovo.

The provision would authorize the Presi-
dent to waive the limitation after sub-
mitting to Congress (1) a written certifi-
cation that the waiver is necessary in the
national security interests of the United States and that the exercise of the waiver
will not negatively affect the readiness of U.S. military forces; and (2) a reporting

The House amendment contained no similar provi-
sion.

The Senate recedes.

Maximum amount for National Foreign Intel-
genelligence Program (sec. 1006)
The conference agrees to include a provision that would establish a ceiling for authoriza-
tion for the National Foreign Intelligence Program (NFIP) equal to the amounts re-
quised by the President in the budget re-
quest for fiscal year 2002. The provision
would allow this ceiling to be increased by any amounts provided for the NFIP in the
Emergency Terrorism Response Supplement-
al Appropriations Act, 2001, and any fis-
cal year 2002 supplemental appropriations

The Senate recedes.

Reliability of Department of Defense financial
statements (sec. 1008)
The Senate bill contained a provision (sec.
1008) that would direct the Department of
Defense (DOD) to identify in advance finan-
cial statements that will be unreliable be-
cause of the Department’s flawed finance and
accounting systems, and to minimize the re-
sources that are used to prepare and audit
these statements.

The House amendment contained no simi-
lar provision.

The Senate recedes with an amendment
that would clarify that the Comptroller of the Department of Defense is authorized to
make the determination which statements will be unreliable, and adjust the deadline
for making such a determination.

Financial Management Modernization Execu-
tive Committee and financial feeder systems
compliance process (sec. 1009)

The Senate amendment contained a provision (sec.
1009) that would authorize $1.3 billion, the amount by which the Senate bill reduced fund-
ing for ballistic missile defense programs,
for whichever of the following purposes the
President determines to be in the national security interests of the United States:
(1) Research, development, test and evalua-
tion of ballistic missile defense programs;
and
(2) Activities for combating terrorism.

The Senate amendment contained a compar-
able provision (sec. 1501) that would in-
crease by $400.0 million the funding for the
following activities to combat terrorism:
intelligence programs, anti-terrorism initia-
tives, counter-terrorism initiatives, and conse-
quence management activities.

The provision included transfer authority and
provided that any reduction of $10 million for
ballistic missile defense activities, and $35.0 million for consulting services in the
Defense-Wide operation and maintenance ac-
count.

The House amendment also contained a provi-
sion (sec. 1502) that would require that funds transferred under the authority of sec-
tion 1501 be merged with and available for the
same period of time as the appropri-
ations to which transferred.

The House recedes with an amendment
that would authorize the $1.3 billion for
whichever of the following purposes the
President determines to be in the national
security interests of the United States:
(1) Research, development, test and evalua-
tion of ballistic missile defense programs;
and
(2) Activities for combating terrorism.

The amendment would also require the
Secretary of Defense to report to the con-
gressional defense committees on the alloca-
tion of the funds pursuant to the President’s
determination.

Subtitle B—Naval Vessels and Shipyards
Authority to transfer naval vessels to certain
foreign countries (sec. 1007)
The Senate amendment contained a provision (sec.
1216) that would transfer to various coun-
tries:
(1) on a grant basis, one Oliver Hazard Perry-class frigate and six Knox-class frigates; and
(2) on a sale basis, four Kidd-class destroyers and two Oliver Hazard Perry-class frigates.

The provision would direct that, to the maximum extent practicable, the President shall, as a condition of transfer, that repair and refurbishment associated with the transfer be accomplished in a shipyard located in the United States.

The authority under this provision would expire at the end of the two-year period that begins on the date of enactment of the National Defense Authorization Act for Fiscal Year 2002.

The House amendment contained no similar provision.

The Senate recedes with an amendment that would provide authority for the President to waive lease payments for up to one year for vessel transfers that:
(1) would be converted, under the provisions of this Act, from a lease to a grant; and
(2) are among the grant transfers approved in this Act.

Sale of Glomar Explorer to the lessee (sec. 1012)

The Senate bill contained no similar provision.

The Senate recedes with an amendment that would authorize the Secretary of the Navy to make a sale of the Glomar Explorer.

The provision would authorize the Secretary of the Navy to make a sale of the Glomar Explorer to the lessee.

The House amendment contained no similar provision.

The Senate recedes with an amendment that would authorize the Secretary of the Navy to make a sale of the Glomar Explorer to the lessee.

The House amendment contained no similar provision.

Extension and restatement of authority to provide Department of Defense support for counter-drug activities of other governmental agencies (sec. 1021)

The Senate bill contained a provision (sec. 1004) that would increase the authorization for Department of Defense expenditures to support counter-drug activities of other governmental agencies.

The House amendment contained a provision (sec. 1012) that would extend for an additional year the requirement in the Floyd D. Spence National Defense Authorization Act for Fiscal Year 2001 that the Secretary of Defense report to the congressional defense committees on the expenditure of funds in direct or indirect support of the counter-drug activities of foreign governments.

The Senate bill contained no similar provisions.

The Senate recedes.

Authority to transfer Tracker aircraft currently used by Armed Forces for counter-drug purposes (sec. 1023)

The House amendment contained a provision (sec. 1022) that would direct that, to the maximum extent practicable, the President shall, as a condition of transfer, that repair and refurbishment associated with the transfer be accomplished in a shipyard located in the United States.

The authority under this provision would expire at the end of the two-year period that begins on the date of enactment of the National Defense Authorization Act for Fiscal Year 2002.

The House amendment contained no similar provision.

The Senate recedes.

Limitation on use of funds for operation of Tethered Aerostat Radar System pending submission of report by the Secretary of Defense (sec. 1024)

The House amendment contained a provision (sec. 1023) that would authorize the Secretary of Defense to transfer to the administrative jurisdiction and operational control of another federal agency.

The provision also provided that any Tracker aircraft remaining in the inventory of the Department of Defense after September 30, 2002 may not be used by the armed forces for counter-drug purposes after that date.

The Senate bill contained no similar provision.

The Senate recedes.

The House amendment contained a provision (sec. 1012) that would direct the Secretary of State to provide the Congress with a report on the status of the TARS required to be submitted by the Secretary to Congress not later than 30 days after the date of enactment of the Act.

The House recedes with an amendment that would require the Department of Defense to transfer the TARS to the U.S. Customs Service, and to the Secretary of State, not later than 30 days after the date of enactment of the Act.

The Senate amendment contained no similar provision.

The Senate recedes.

Increase in limitations on administrative authority of the Navy to sell or dispose of military equipment (sec. 1014)

The House amendment contained a provision that would increase the administrative authority of the Navy to sell or dispose of military equipment.

The Senate amendment contained no similar provision.

The Senate recedes.

Subtitle C—Counter-Drug Activities

Extension and restatement of authority to provide Department of Defense support for counter-drug activities of other governmental agencies (sec. 1021)


The House amendment contained no similar provision.

The House recedes with an amendment that restates section 1004 but does not codify it, makes it effective during fiscal years 2002 through 2006, and makes several technical changes.

Extension of reporting requirement regarding Department of Defense expenditures to support foreign counter-drug activities (sec. 1022)

The House amendment contained a provision (sec. 1021) that would extend for an additional year the requirement in the Floyd D. Spence National Defense Authorization Act for Fiscal Year 2001 that the Secretary of Defense report to the congressional defense committees on the expenditure of funds in direct or indirect support of the counter-drug activities of foreign governments.

The Senate bill contained no similar provisions.

The Senate recedes.

The House amendment contained a provision (sec. 1004) that would increase the authorization for Department of Defense expenditures to support counter-drug activities of other governmental agencies.

The House amendment contained a provision (sec. 1012) that would provide that the Department of Defense from retiring or dismantling any of the 93 B-1B Lancer bombers in the Air National Guard, or from transferring or reassigning any of those aircraft, until 30 days after delivery of a series of reports to the Armed Services Committees of the Senate and House of Representatives, including: (1) the national security strategy, (2) the Quadrennial Defense Review; (3) a report detailing the analysis for any consolidation and force structure reduction, along with Department plans for the National Guard units currently using B-1B bombers; and (4) the revised Nuclear Posture Review. The provision would also require the Comptroller General to conduct a study and submit a Government Accountability Office (GAO) report on the proposed consolidation and force structure reduction by January 31, 2002.

The House amendment contained a similar provision (sec. 1006) that would differ from the Senate position only in that the GAO report would not be due until 180 days after the Department’s report of analysis of the consolidation and force structure reduction.

The Senate recedes with an amendment that would greatly streamline the reporting requirements.

The Senate amendment contained no similar provision.

The Senate recedes.

Limitation on use of funds for operation of Tethered Aerostat Radar System pending submission of report by the Secretary of Defense (sec. 1024)

The House amendment contained a provision (sec. 1023) that would authorize the Secretary of Defense to transfer to the administrative jurisdiction and operational control of another federal agency.

The provision also provided that if the TARS is not transferred by September 30, 2002, it may not be used by the armed forces for counter-drug purposes after that date.

The Senate bill contained no similar provision.

The Senate recedes.

The House amendment contained a provision (sec. 1012) that would authorize the Secretary of Defense to transfer the TARS to the U.S. Customs Service, and to the Secretary of State, not later than 30 days after the date of enactment of the Act.

The House recedes with an amendment that would require the Department of Defense to transfer the TARS to the U.S. Customs Service, and to the Secretary of State, not later than 30 days after the date of enactment of the Act.

The Senate amendment contained no similar provision.

The Senate recedes.

The Senate amendment contains no applicable provision.

The Senate recedes.

The House amendment contains no applicable provision.

The Senate amendment contains no applicable provision.

The Senate amendment contains no applicable provision.

The Senate amendment contains no applicable provision.

The Senate amendment contains no applicable provision.
The House amendment contained a provision (sec. 312) that would require the Secretary of Defense to include a national security impact statement in each environmental impact statement or environmental assessment prepared in connection with a Department of Defense action.

The Senate bill contained no similar provision.

The Senate recedes with an amendment that would require the Secretary of Defense to submit to the President the Secretary’s recommendation as to whether there should be established within the Executive Branch a defense impact review process and to submit a copy of that recommendation to Congress. For the purposes of this section, a defense impact review process means a process that provides for review of certain proposed actions of other federal agencies to identify any reasonably foreseeable significant adverse impact of such a proposed action on national defense.

Department of Defense reports to Congress to be accompanied by electronic version upon request (sec. 1042)

The House amendment contained a provision (sec. 1031) that would require that the Department of Defense submit copies of reports to Congress in an electronic medium.

The Senate bill contained no similar provision.

The Senate recedes with an amendment providing that the Department must provide electronic reports only upon request.

Department of Defense gift authorities (sec. 1043)

The House amendment contained a provision (sec. 1041) that would clarify that items that may be loaned or given under section 7545 of title 10, United States Code. The House amendment also contained a provision (sec. 354) addressing the entities to which such items may be loaned or given.

The Senate bill contained no similar provision.

The Senate recedes with an amendment containing combination of funds.

Acceleration of research, development, and production of medical countermeasures for defense against biological warfare agents (sec. 1044)

The Senate bill contained a provision (sec. 1025) that would authorize the Secretary of Defense, subject to the availability of authorized and appropriated funds for such purpose, for design, construction, and operation of an installation of the Department of Defense a government-owned, contractor-operated (GOCO) vaccine production facility. The provision would also require the Secretary of Defense to develop a long-range plan for the production and acquisition of vaccines to defend against biological warfare agents, including the evaluation of vaccine production options, and to report to the congressional defense committees on that plan by February 1, 2002.

The House amendment contained no similar provision.

The House recedes with an amendment that would require the Secretary of Defense to carry out an accelerated program of research, development and production of medical countermeasures to defend against the highest threat biological warfare agents. In order to accomplish this objective, the conferees believe that the Department of Defense should invest in multiple new technologies for the prevention and treatment of anthrax and should take advantage of ideas and candidate technologies from the bio-tech industry. The conferees believe that the Department of Defense should consider the following approaches in this effort: understanding the germination process of anthrax spores and the means to stop it; understanding the molecular behavior of the anthrax toxin and the means to intervene against it at the cellular level; investigating recombinant protein antigens to formulate new vaccines, including multivalent vaccines that may be effective against multiple strains of pathogens; investigating technologies to be used as adjuvant treatment, or those that may be more effective in clearing pathogens from circulation; and determining potential means for optimizing and extending immunity.

The amendment would also require a study by the National Research Council and the Institute of Medicine of the review and approval process for such medical countermeasures. Finally, the amendment would provide discretion for the Defense Department to use up to $10.0 million of available research and development funds for the accelerated program.

The conferees note the importance to the Department of Defense in producing and acquiring products needed to prevent or mitigate the physiological effects of exposure to biological warfare agents, including vaccines and therapeutics, and to develop vaccines, including multivalent vaccines that may be effective against multiple strains of pathogens; investigating technologies to be used as adjuvant treatment, or those that may be more effective in clearing pathogens from circulation; and determining potential means for optimizing and extending immunity.

The amendment would authorize the Secretary of the Navy to use up to $10.0 million of available research and development funds for the accelerated program.

The House amendment contained a provision (sec. 1045) that would require a report on the requirements of the Department of Defense regarding chemical and biological protective equipment for military personnel and civilians. The provision would also express the sense of Congress on possible sources of funding for such equipment.

The House amendment contained no similar provision.

The House recedes with an amendment that would include an assessment of an appropriate level of protection for civilian employees who would be exposed to chemical and biological attack, and would eliminate the proposed sense of Congress.

Sale of goods and services by Naval Magazine, Indian Island, Alaska (sec. 1046)

The Senate amendment contained a provision (sec. 1070) that would allow the Secretary of the Navy to sell, on a reimbursable basis, goods and services from Naval Magazine, Indian Island, that are not available from other commercial sources.

The House amendment contained no similar provision.

The House recedes with a clarifying amendment.

Report on procedures and guidelines for embarkation of civilian guests on naval vessels for public or official purposes (sec. 1047)

The Senate amendment contained a provision (sec. 1072) that would require the Secretary of the Navy to submit to a Congress to ensure that the embarkation of civilian guests for the purpose of furthering public awareness of the Navy and its mission does not interfere with operational readiness and safe operation of Navy vessels. The plan would cover a number of specific areas.

The House amendment contained no similar provision.

The House recedes with an amendment that requires the Secretary of the Navy to submit a report to the Committees on Armed Services of the Senate and the House of Representatives setting forth the procedures and guidelines of the Navy for the embarkation of civilian guests on naval vessels for public and official purposes and the specific areas to be covered in the report.

Technical and clerical amendments (sec. 1048)

The House amendment contained a provision (sec. 1046) making technical and clerical amendments to title 10, United States Code, and related statutes.

The Senate bill contained no similar provision.

The Senate recedes.

Termination of referendum requirement regarding continuation of military training on the island of Vieques, Puerto Rico, and imposition of additional conditions on closure of training range (sec. 1049)

The House amendment contained a provision (sec. 1042) that would repeal the provisions contained in Title XV of the Floyd D. Proxmire National Defense Authorization Act for Fiscal Year 2001 that would require a referendum on the continuation of military training on Vieques and authorize additional economic assistance for Vieques in the event continued training was approved by such referendum. The House amendment would specify that the Secretary of the Navy could authorize the Navy and the surveyors of the Marine Corps jointly certified that an alternative training facility was available that provided an equivalent or superior level of training at a single location.

The House amendment would also require the Secretary to provide the Congress and the Secretary of the Interior with a report outlining the economic assistance for Vieques in the event that the Navy and the Marine Corps certified that an alternative training facility was available that provided an equivalent or superior level of training at a single location.

The House amendment would also repeal the provisions of that Act transferring jurisdiction of the training range and other lands on the eastern end of Vieques to the Secretary of the Interior if training operations on Vieques were terminated, and would in effect require that the lands be retained by the Secretary of the Navy.

The Senate bill contained no similar provision.

The Senate recedes with an amendment that would give the Secretary of the Navy the authority to close the Vieques Naval Training Range if the Secretary certifies to the President and Congress that an alternative training facility or facilities that provide equivalent or superior training exist and are available. The Senate’s certification requirements would take into account the views and recommendations of the Chief of Naval Operations and the Commandant of the Marine Corps. If the Secretary terminates training operations on Vieques, the lands on the eastern end of the island would be transferred to the jurisdiction of the Secretary of the Interior.

The conferees note the views of the administration on this matter, as stated in a letter from the Deputy Secretary of Defense on November 29, 2001:

Consistent with the commitments made by behalf of President Bush to the people of Puerto Rico, the Navy remains committed to identifying a suitable alternative and is planning to discontinue training operations on the island by October 31, 2004. The Department of Defense will continue its identification and establishment of a suitable alternative. However, until a suitable
alternative is established, Viegues remains an important element in the training of our forces deploying to fight the war.

Subtitle F—Other Matters

Assistance for firefighters (sec. 1061)

The Senate bill contained a provision (sec. 1071) that would direct the Secretary of Defense to establish a program to provide assistance for the repair, restoration, and preservation of the Lafayette Escadrille Memorial, Marnes-la-Coquette, France, and to name the program after the late Floyd D. Spence and would state the sense of Congress that the grant program should be reauthorized at increased funding.

The House recedes with an amendment that would increase the authorization of appropriations for these grants to $500.0 million for each of fiscal years 2002, 2003 and 2004, clarify that grants under this program would be available for training and equipment to respond to terrorism or the use of weapons of mass destruction, and specify that up to three percent of the funds authorized for these grants could be used for administration of the grant program by the Federal Emergency Management Agency.

Extension of times for Commission on the Future of the United States Aerospace Industry to report and to terminate (sec. 1062)

The Senate bill contained a provision (sec. 1067) that would extend the Commission on the Future of the United States Aerospace Industry a full year to carry out its work and to allow the commission 60 rather than 30 days to archive documents and complete other activities after the submission of its final report.

The House amendment contained a similar provision.

The Senate recedes with a technical amendment.

Appropriations to Radiation Exposure Compensation Fund (sec. 1063)

The Senate bill contained a provision (sec. 1066) that would amend the Radiation Exposure Compensation Act to make mandatory appropriations for fiscal years 2002 through 2011.

The House amendment contained no similar provision.

The House recedes.

Waiver of vehicle weight limits during periods of national emergency (sec. 1064)

The Senate bill contained a provision (sec. 1076) that would authorize the Secretary of Transportation, in consultation with the Secretary of Defense, to waive certain vehicle weight limits on specified portions of the Interstate highway system during a period of national emergency.

The House amendment contained no similar provision.

The House recedes.

Repair, restoration, and preservation of Lafayette Escadrille Memorial, Marnes-la-Coquette, France (sec. 1065)

The Senate bill contained a provision (sec. 333) that would authorize the Secretary of the Air Force to make a grant to the Lafayette Escadrille Memorial Foundation, Inc. of up to $2.0 million for repair, restoration, and preservation of the Lafayette Escadrille Memorial.

The House amendment contained a similar provision (sec. 1048) that contained findings regarding the volunteer aviators who fought with the Lafayette Escadrille during World War I and the state of the memorial, and that would express the sense of Congress that funds should be provided to restore the memorial.

The House recedes with an amendment that would authorize the Secretary of the Air Force to make the grant after he submits a report to the Congress on the restoration made by the government of France. The conferees also agree to require an annual report on the use of the grant funds, to require that the foundation make their records available for audit by the Air Force and the General Accounting Office, and to require an engineering analysis of and report on the cost of fully restoring the memorial.

The additional cost of the engineering analysis is not intended to reduce the amount of the grant to the Foundation. The cost of both the grant and the engineering analysis would be funded from the operation and maintenance account of the Air Force.

The conferees do not intend this provision to establish a precedent for federal funding of privately operated memorials.

LEGISLATIVE PROVISIONS NOT ADOPTED

Action to promote national defense features program

The House amendment contained a provision (sec. 1063) that would direct the Secretary of Defense to certify to the Federal Maritime Commission restrictive trade practices for cases in which vessels built, or to be built, under the Navy's Defense Features (NDF) program are involved.

The Senate bill contained no similar provision.

The House recedes.

The conference agree the NDF program has the potential to provide incentive for construction of commercial ships in the U.S. The strategic seafarers program provides compensation for commercial ships that have Defense Department unique alter requirements for carrying defense cargo. The program was intended to reduce the requirement for government-owned ships by supplementing them, when required, with commercial shipping capable of carrying Defense Department unique cargo such as tanks, heavy vehicles, and ammunition.

The NDF program can only be successful if commercial ship owners decide to build ships in U.S. shipyards based on the potential for successful operations when not involved in defense department operations.

Although it is not the responsibility of the Secretary of Defense to certify commercial shipping trade issues, it is within the purview of the Secretary to assess and report to Congress on the Defense Department's ability to provide the required strategic sealift. Thus, the Secretary is directed to notify Congress when he determines that a strategic sealift deficiency exists, and measures to correct such deficiency are not being undertaken because of the unwillingness of commercial ship owners to participate in the NDF program.

Assignment to members to assist border patrol and control

The House amendment contained a provision (sec. 1024) that would authorize the use of military personnel to assist the Immigration and Naturalization Service and the Customs Service in preventing the entry of terrorists, drug traffickers, weapons of mass destruction, illegal narcotics and related items into the United States.

The Senate bill contained no similar provision.

The House recedes.

In the wake of the events of September 11, the conferees believe that a full review of the strategy, roles and responsibilities of the Department of Defense in combating terrorism is warranted. Therefore, the conferees direct elsewhere in this report that the Secretary of Defense conduct a study of the appropriate role of the Department with respect to homeland security and report to Congress on such matters.

Authority to pay gratuity to members of the armed forces and civilian employees of the United States for slave labor performed for Japan during World War II

The Senate bill contained a provision (sec. 1064) that would authorize the Secretary of Veterans Affairs to pay a $20,000 gratuity to a veteran or civilian internee who: (1) served in or with United States combat forces during World War II; (2) was captured and held as a prisoner of war; and (3) was required to perform slave labor for Japan.

The House amendment contained no similar provision.

The Senate recedes.

Contingent authorization of appropriations

The Senate bill contained a title (title XIII) making the authorization of certain funds contingent upon future action by the Congress.

The House amendment contained no similar provision.

The Senate recedes.

Demilitarization of significant military equipment

The Senate bill contained a provision (sec. 1062) that would provide authority to ensure the proper identification of significant military equipment formerly owned by the Department of Defense (DOD).

The House amendment contained no similar provision.

The Senate recedes.

Information and recommendations on congressional reporting requirements applicable to the Department of Defense

The Senate bill contained a provision (sec. 1021) that would require the Secretary of Defense to identify recurring reporting requirements in the Department of Defense (DOD) that the Secretary believes to be unnecessary.

The House amendment contained no similar provision.

The Senate recedes.

Reductions in authorizations of appropriations for Department of Defense for management efficiencies

The Senate bill contained a provision (sec. 1002) that would have reduced the amounts authorized to be appropriated to the Department of Defense (DOD) by $1.6 billion to reflect savings to be achieved through the implementation of the provisions of title VIII of the Senate bill and other management efficiencies.

The House amendment contained no similar provision.

The Senate recedes.

The Senate agreed to reductions of $1.3 billion for management reform initiatives. These reductions are included in titles I, II and III of this Act.

Release of restriction on use of certain vessels previously authorized to be sold

The Senate bill contained a provision (sec. 1220) that would relax certain restrictions placed on the sale of two vessels authorized to be sold by section 308(a) of the Strom Thurmond National Defense Authorization Act for Fiscal Year 1999.

The House amendment contained no similar provision.

The Senate recedes.

Revision in types of excess naval vessels for which approval by law is required for disposal to foreign nations

The House amendment contained a provision (sec. 1011) that would amend subsection...
(a) of section 7307 of title 10 to change the requirement for specific congressional approval of disposal of vessels to foreign nations from “naval vessels” to “combatant naval vessels.”

The Senate bill contained no similar provision.

The House recedes.

Revised annual report to Congress on National Guard and reserve component equipment

The House amendment contained a provision (sec. 1033) that would revise the annual report of the Secretary of Defense to Congress to include information on National Guard and reserve component equipment.

The Senate bill contained no similar provision.

The House recedes.

Authority to appoint certain health care professionals in the excepted service (sec. 1104)

The Senate bill contained a provision (sec. 1122) that would authorize the Secretary of Defense to exempt certain health care professionals from examination for appointment in the competitive civil service.

The House amendment contained no similar provision.

The House recedes with an amendment that would authorize the Secretary of Defense to exempt certain health care professionals from examination for appointment in the competitive civil service.

Authority to provide hostile fire pay (sec. 1111)

The Senate bill contained a provision (sec. 622) that would authorize hostile fire or imminent danger pay for civilians.

The House amendment contained no similar provision.

The House recedes.

The decision not to include this provision in this conference report does not reflect any change in the strong support for the issuance of savings bonds, to be designated as “Unity Bonds,” in response to the terrorist attacks against the United States on September 11, 2001.

The Senate amendment contained no similar provision.

The House recedes.

Sense of the Senate that the Secretary of the Treasury should immediately issue savings bonds, to be designated as “Unity Bonds,” in response to the terrorist attacks against the United States on September 11, 2001.

The House recedes.

Transfer of Vietnam-era F-4 to non-profit museum

The House amendment contained a provision (sec. 1044) that would authorize the Secretary of the Air Force to convey a surplus F-4 aircraft to the National Aviation Museum and Foundation of Oklahoma.

The Senate bill contained no similar provision.

The Senate recedes.

The House recedes.

TITLE XI—CIVILIAN PERSONNEL

LEGISLATIVE PROVISIONS ADOPTED

Subtitle A—Department of Defense Civilian Personnel

Personnel pay and qualifications authority for Department of Defense and Central Intelligence Agency, to include pay rates for Peace Corps Volunteers (sec. 1101)

The Senate amendment contained a provision (sec. 1105) that would authorize the Secretary of Defense to establish pay rates for Peace Corps Volunteers.

The Senate recedes.

The House recedes.

Pilot program for payment of retraining expenses (sec. 1102)

The House amendment contained a provision (sec. 1102) that would authorize the Secretary of Defense (DOD) to establish a pilot program to pay retraining expenses for DOD employees scheduled for involuntary separation.

The Senate bill contained a provision similar to this provision (sec. 1123).

The Senate recedes with an amendment that would give heads of agencies discretion to determine when they would authorize the use of appropriated funds for Department of Defense personnel to participate in meetings to set technical standards for products, manufacturing processes, and management practices.

Federal employment retirement credit for non-appropriated fund instrumentalities service (sec. 1132)

The Senate bill contained a provision similar to this provision (sec. 1110) that would authorize the Secretary of Defense to exempt certain health care professionals from examination for appointment in the competitive civil service.

The Senate recedes.

Retention of travel promotional items (sec. 1116)

The Senate amendment contained a provision (sec. 1116) that would authorize federal employees of the Executive Branch, members of the foreign service, military members, and their family members to retain for personal use promotional items as a result of using travel or transportation services paid for by the Executive Branch.

The House amendment contained no similar provision.

The House recedes with an amendment that would extend the benefit to employees of the Judicial Branch and certain employees of the Legislative Branch.

Applicability of certain laws to certain individuals assigned to work in the Federal Government (sec. 1117)

The House recedes with an amendment that would extend the benefit to employees of the Judicial Branch and certain employees of the Legislative Branch.

The House recedes with a technical amendment.

Subtitle C—Intelligence Civilian Personnel

Authority to increase maximum number of positions in the Defense Intelligence Senior Executive Service (sec. 1121)

The Senate bill contained a provision (sec. 1101) that would authorize the Secretary of Defense to increase the number of Defense Intelligence Senior Executive Service positions.

The Senate recedes.

The House amendment contained no similar provision.

The House recedes with an amendment that would increase the maximum number of positions in the Defense Intelligence Senior Executive Service.

The House amend the Senate recedes.

The House recedes with an amendment that would increase the maximum number of positions in the Defense Intelligence Senior Executive Service.

The Senate recedes with a technical amendment.

Subtitle D—Deficiencies Relating to Retirement

Improved portability of retirement coverage for employees moving between civil service employment and employment by non-appropriated fund instrumentalities (sec. 1113)

The Senate amendment contained a similar provision (sec. 1114) that would extend the benefit to employees of the Judicial Branch and certain employees of the Legislative Branch.

The Senate recedes.

Federal employment retirement credit for non-appropriated fund instrumentalities service (sec. 1132)

The Senate bill contained a provision similar to this provision (sec. 1110) that would authorize the Secretary of Defense to exempt certain health care professionals from examination for appointment in the competitive civil service.

The Senate recedes.

Retention of travel promotional items (sec. 1116)

The Senate amendment contained a provision (sec. 1116) that would authorize federal employees of the Executive Branch, members of the foreign service, military members, and their family members to retain for personal use promotional items as a result of using travel or transportation services paid for by the Executive Branch.

The House amendment contained no similar provision.

The House recedes with an amendment that would extend the benefit to employees of the Judicial Branch and certain employees of the Legislative Branch.

Applicability of certain laws to certain individuals assigned to work in the Federal Government (sec. 1117)

The House recedes with an amendment that would extend the benefit to employees of the Judicial Branch and certain employees of the Legislative Branch.

The House recedes with a technical amendment.

Subtitle C—Intelligence Civilian Personnel

Authority to increase maximum number of positions in the Defense Intelligence Senior Executive Service (sec. 1121)

The Senate bill contained a provision (sec. 1101) that would authorize the Secretary of Defense to increase the number of Defense Intelligence Senior Executive Service positions.

The Senate recedes.

The House amendment contained no similar provision.

The House recedes with an amendment that would increase the maximum number of positions in the Defense Intelligence Senior Executive Service.

The Senate recedes with a technical amendment.

Subtitle D—Deficiencies Relating to Retirement

Improved portability of retirement coverage for employees moving between civil service employment and employment by non-appropriated fund instrumentalities (sec. 1113)

The Senate amendment contained a similar provision (sec. 1114) that would extend the benefit to employees of the Judicial Branch and certain employees of the Legislative Branch.

The Senate recedes.

Federal employment retirement credit for non-appropriated fund instrumentalities service (sec. 1132)

The Senate bill contained a provision similar to this provision (sec. 1110) that would authorize the Secretary of Defense to exempt certain health care professionals from examination for appointment in the competitive civil service.
Employees Retirement System credit for prior nonappropriated fund service.

The House amendment contained no similar provision.

The House recedes with a clarifying amendment.

Modification of limitations on exercise of voluntary separation incentive pay authority and voluntary early retirement authority (sec. 1133)

The Senate bill contained a provision (sec. 1113) that would authorize the Secretary of Defense, during fiscal year 2003, to use voluntary separation incentives and voluntary early retirement authority for workforce restructuring to meet mission needs, achieve strength reductions, correct skill imbalances or reduce the number of high-grade, managerial, or supervisory positions.

The House amendment contained no similar provision.

The House recedes with an amendment that would establish a limit of 2000 employees in fiscal year 2002 and 6000 employees in fiscal year 2003 who could be separated under this provision, and would provide that this provision may be superseded by another provision of law taking effect after the effective date of this Act.

Legislative Provisions Not Adopted

Continued applicability of certain civil service protections for employees integrated into the National Imagery and Mapping Agency from the Defense Mapping Agency

The Senate bill contained a provision (sec. 1102) that would clarify that former Defense Mapping Agency personnel transferred into the National Imagery and Mapping Agency pursuant to the National Defense Authorization Act for Fiscal Year 1997 retain certain civil service protections for as long as they remain Department of Defense employees employed without a break in service in the National Imagery and Mapping Agency.

The House amendment contained no similar provision.

The House recedes.

Removal of requirement that granting civil service compensatory time be based on amount of irregular or occasional overtime work

The House amendment contained a provision (sec. 1105) that would repeal the requirement that compensatory time only be granted to federal employees if the overtime performed is irregular or occasional.

The Senate bill contained no similar provision.

The House recedes.

Undergraduate training program for employees of the National Imagery and Mapping Agency

The House amendment contained a provision (sec. 1101) that would authorize the National Imagery and Mapping Agency to establish an undergraduate training program to recruit and train new technical skills.

The Senate bill contained no similar provision.

The House recedes.

Use of data from national and health standards as a basis for differential payments made as a consequence of exposure to asbestos for prevailing rate and general schedule federal employees

The House amendment contained a provision (sec. 1121) that would establish a common standard for payment of hazardous duty differential pay for reason of exposure to asbestos for prevailing rate and general schedule federal employees.

The Senate bill contained no similar provision.

The House recedes.

The Senate bill contained a provision (sec. 1215) that would amend section 308(b)(2) and section 304(c) of the ChemicalWeapons Convention Implementation Act of 1998 (22 U.S.C. 6723(b)(2) and 6724(c)) to permit Federal Government contractor personnel to participate in inspecting the Russian Government-owned facilities conducted under that Act if led by a Federal Government employee.

The House amendment contained a similar provision.

The Senate recedes with a technical amendment.

Plan for securing nuclear weapons, material, and expertise of the states of the former Soviet Union (sec. 1205)

The House amendment contained a provision (sec. 1051) that would direct the President to submit to Congress a plan for cooperation with Russia to dispose of excess nuclear materials and nuclear weapons, and to prevent the outflow of Russian scientific expertise in the area of weapons of mass destruction. The plan would include specific plans, end item lists, and a road map that would include specific plan elements and required the President to consult with Russia and Congress in developing the plan.

The Senate bill contained no similar provision.

The Senate recedes with an amendment.

The amendment expands the scope of the plan to include the other states of the former Soviet Union and adds a requirement that the plan include programs to assist Russia in downsizing its nuclear weapons research and production complex. In addition, the amendment requires the President to consider establishing an interagency committee to coordinate and monitor the nonproliferation efforts of the United States, to recommend policy and budget options for the U.S. nonproliferation program, and to encourage increased coordination with and greater participation of international partners, including the other states in the region.

The Senate recedes with an amendment.

The House recedes with a provision (sec. 1051) that would authorize the President to approve and fund programs to support the United States in its nonproliferation efforts, including programs to provide nonproliferation strategy as soon as possible. As President Bush stated in his November 13, 2001 joint statement with Russian President Putin: “Our highest priority is to keep terrorists from acquiring weapons of mass destruction. Today we agreed that Russian and American experts will work together to share information and expand our counter-terrorism capabilities. We agreed that it is urgent that we improve the physical protection and accounting on nuclear materials and prevent illicit nuclear trafficking.”

Subtitle B—Matters Relating to Allies and Friendly Foreign Nations

Acquisition of logistical support for security forces (sec. 1211)

The House amendment contained a provision (sec. 1202) that would amend the Multi-national Force and Observers (MFO) Participation Resolution (Public Law 97-132) to authorize the President to approve contracting out the logistical and aviation support for the MFO mission currently performed by U.S. soldiers. The provision would also provide that U.S. sponsored contract support could be provided to the MFO mission with the reimbursement of the President, determined that such action enhances or supports the national security of the United States.

The Senate bill contained an identical provision (sec. 1209).

The conference agreement includes this provision.

December 12, 2001
December 12, 2001

CONGRESSIONAL RECORD—HOUSE

Extension of authority for international cooperative research and development projects (sec. 1212)

The Senate bill contained a provision (sec 1212) that would extend the authority of title 10, United States Code, to expand the entities, to include friendly foreign countries, with which the Department of Defense is authorized to enter into cooperative research and development agreements.

The House amendment contained no similar provision.

The House recedes with a clarifying amendment and an amendment that requires the Secretary of Defense to submit a report to Congress on an implementation of any proposed memorandum of understanding (or other formal agreement) for cooperative research and development with a country that is not a NATO member nation or a major non-NATO ally.

The House amendment contained no similar provision.

Cooperative agreements with foreign countries and international organizations for reciprocal use of test facilities (sec. 1213)

The Senate bill contained a provision (sec. 1213) that would authorize the Secretary of Defense, with the concurrence of the Secretary of State, to enter into a memorandum of understanding with a foreign country or international organization to provide for the testing, on a reciprocal basis, of defense equipment. The provision would require the charging of indirect costs and would authorize the charging of indirect costs, but only to the extent specified in the memorandum or other agreement.

The House amendment contained no similar provision.

The House recedes with a clarifying amendment.

Sense of Congress on allied defense burdensharing (sec. 1214)

The Senate bill contained a provision (sec. 1219) that would express the sense of the Senate that the President to increase burdensharing by allied and friendly nations deserve strong support. The provision also expressed the sense of the Senate that host nation support agreements with those nations in which U.S. military personnel are permanently assigned should be negotiated consistent with section 1221(a)(1) of the National Defense Authorization Act for Fiscal Year 1998, which sets forth a goal of obtaining financial contributions from such host nations that amount to 75 percent of the cost of operations.

The House amendment contained no similar provision.

The House recedes with a clarifying amendment and an amendment that makes the provision a sense of Congress.

Subtitle C—Reports

Report on significant sales and transfers of military hardware, expertise, and technology to the People’s Republic of China (sec. 1221)

The Senate bill contained a provision (sec. 1221) that would require the Secretary of Defense to report to Congress on significant transfers of military hardware, expertise, and technology to the People’s Republic of China. The amendment would require the Secretary of Defense to report to Congress on significant transfers of equipment, expertise and technology to the People’s Republic of China. The amendment would also require the Secretary of Defense to report to Congress on significant transfers of equipment, expertise and technology to the People’s Republic of China.

The House amendment contained no similar provision.

The Senate recedes with a technical amendment.

Repeal of requirement for reporting to Congress on military deployments to Haiti (sec. 1222)

The House amendment contained a provision (sec. 1236) that would repeal the report required by section 1232 of the National Defense Authorization Act for Fiscal Year 2000 concerning military deployments to Haiti.

The Senate bill contained no similar provision.

The Senate recedes.

Report by Comptroller General on provision of defense articles, services, and military education and training to foreign countries and international organizations (sec. 1223)

The House amendment contained a provision (sec. 1207) that would require the Comptroller General of the United States to study the beneficial, cost, and readiness impact of the U.S. Armed Forces with regard to defense articles, services, or military education and training provided under the authority of the Foreign Assistance Act of 1961 (Public Law 87–195 as amended) or any similar provision of law. The provision would require the Comptroller General to submit to Congress an interim report no later than April 15, 2002, and a final report by August 1, 2002, on the findings of the study.

The Senate bill contained no similar provision.

The Senate recedes.

LEGISLATIVE PROVISIONS NOT ADOPTED

Limitation on number of military personnel in Colombia (sec. 1206)

The House amendment contained a provision (sec. 1206) that would limit to 500 the number of U.S. military personnel authorized to be on duty in the Republic of Colombia at any time. The limit would not apply to military personnel deployed to Colombia for the purpose of rescuing or retrieving U.S. Government personnel, military personnel attached to the U.S. Embassy, military personnel engaged in relief operations, or operational transient military personnel.

The Senate bill contained no similar provision.

The House recedes.

TITLE XIII—COOPERATIVE THREAT REDUCTION WITH STATES OF THE FORMER SOVIET UNION

LEGISLATIVE PROVISIONS ADOPTED

Specified Cooperative Threat Reduction programs and funds (sec. 1301)

The Senate amendment contained a provision (sec. 1301) that would direct the Secretary of Defense to authorize the Cooperative Threat Reduction (CTR) funds for the specified program elements. The provision would also authorize the CTR funds to be available for obligation for three fiscal years.

The Senate amendment contained an identical provision (sec. 1301).

The conference agreement includes this provision.

Funding allocations (sec. 1302)

The Senate bill contained a provision (sec. 1302) that would authorize $463.0 million, the amount included in the budget request, for the Cooperative Threat Reduction (CTR) programs. The provision would establish the funding levels for each of the program elements in the CTR program and provide limited authority to vary the amounts for specific program elements. The provision includes nuclear weapons destruction activity in Russia into a single category. The conference has excluded nuclear weapons transportation security contained in section 1302(c)(3) of the Floyd D. Spence National Defense Authorization Act for Fiscal Year 2001.

The Senate bill contained no similar provision.

The Senate recedes with an amendment that would prohibit the Secretary of Defense from spending more than 50 percent of the funds available for the CTR program for fiscal year 2002 until the Secretary submits the report required by the Floyd D. Spence National Defense Authorization Act for Fiscal Year 2001.

Limitation on use of funds until submission of reports (sec. 1303)

The House amendment contained a provision (sec. 1303) that would require the Secretary of Defense to submit a report describing plans to monitor the use of revenue generated by Cooperative Threat Reduction (CTR) program activities in Russia and Ukraine.

The Senate bill contained no similar provision.

The Senate recedes with an amendment that would direct the Secretary of Defense to consider the revenue generated by CTR program-related activities in Russia when carrying out the CTR program.

Prohibition against use of funds for second wing of fissile material storage facility (sec. 1305)

The House amendment contained a provision (sec. 1305) that would prohibit the use of all Cooperative Threat Reduction (CTR) program funds for construction of a second wing of fissile material storage facility in Mayak, Russia. The provision would also cap the amount of funds spent on the first wing of the facility at $412.6 million.

The Senate bill contained no similar provision.

The Senate recedes with an amendment that would prohibit fiscal year 2002 CTR funds, and CTR funds previously authorized and appropriated, from being used to construct a second wing of the storage facility for fissile material storage in Mayak, Russia. The conference believes the Department of Defense should decide in the future that a second wing of the facility is needed, the Secretary should specifically request funds for that purpose. The conference would also clarify that the spending cap on the Mayak facility will not apply to any expenditures related to security.

Prohibition against use of funds for certain construction activities (sec. 1306)

The House amendment contained a provision (sec. 1306) that would prohibit the use of Cooperative Threat Reduction (CTR) program funds from being used for construction or refurbishment of fossil fuel energy plants in Russia.

The Senate bill contained no similar provision.

The Senate recedes with an amendment that would prohibit the use of fiscal year funds, and CTR funds previously authorized and appropriated, from being used to construct a second wing of the storage facility for fissile material storage in Mayak, Russia. The conference believes the Department of Defense should decide in the future that a second wing of the facility is needed, the Secretary should specifically request funds for that purpose. The conference would also clarify that the spending cap on the Mayak facility will not apply to any expenditures related to security.

Prohibition against use of funds for certain construction activities (sec. 1306)

The House amendment contained a provision (sec. 1306) that would prohibit the use of Cooperative Threat Reduction (CTR) program funds from being used for construction or refurbishment of fossil fuel energy plants in Russia.
The House amendment contained a provision (sec. 1308) that would amend section 1308 of the Floyd D. Spence National Defense Authorization Act for Fiscal Year 2001 to modify the requirements and assistance available under Cooperative Threat Reduction (CTR) programs.
The Senate bill contained no similar provision.
The Senate recedes.

Chemical weapons destruction (sec. 1308)
The Senate bill contained a provision (sec. 1293) that would amend section 1305 of the National Defense Authorization Act for Fiscal Year 2000 to establish a certification process by the Secretary of Defense that must be completed before any funds could be spent for construction of a chemical weapons destruction facility at Shchuch’ye, Russia. The provision would also provide authority for the Secretary of Defense to waive the prerequisite dealing with information provided by Russia about its stockpile of chemical munitions. The provision also required a commitment on the part of others to assist with the costs related to the facility.
The House amendment contained a similar provision (sec. 1309) that would require preconditions for the Secretary of Defense to waive the one prerequisite and did not contain the requirement for a commitment by others to assist with the costs.
The Senate recedes with a clarifying amendment.

The House amendment contained a similar provision (sec. 1309) that would require preconditions for the Secretary of Defense to waive the one prerequisite and did not contain the requirement for a commitment by others to assist with the costs.
The Senate recedes with a clarifying amendment.

Additional matter in annual report on activities and assistance under Cooperative Threat Reduction programs (sec. 1309)
The Senate bill contained a provision (sec. 1305) that would amend the annual report to include a new section describing the amount of the annual commitment from the international community and from Russia for the chemical weapons destruction facility at Shchuch’ye.
The House amendment contained no similar provision.

The House recedes.

Legislative Provisions Not Adopted
Report on responsibility for carrying out Cooperative Threat Reduction programs
The House amendment contained a provision (sec. 1308) that would require the Secretary of Defense to carry out a report containing an assessment of Cooperative Threat Reduction (CTR) projects currently underway and the Russian Disclosure Initiative (RDII) and describing options for transferring responsibility for CTR projects to other agencies, as appropriate.
The Senate contained a related provision (sec. 1309) that would require the CTR program to continue to be financed, managed, and implemented by the DOD.
The House amendment contained no similar provision.

The House recedes.

Revisions of authority establishing the Armed Forces Retirement Home
The Senate bill contained a provision (sec. 1043) that would establish the Armed Forces Retirement Home as an independent establishment of the Executive Branch to provide housing and related services for certain retired and former members of the armed forces.
The Senate recedes with a clarifying amendment.

Chief Operating Officer (sec. 1044)
The Senate bill contained a provision (sec. 1043) that would authorize the Secretary of Defense to appoint a Chief Operating Officer for the Retirement Home who would be responsible for the overall direction, operation, and management of the Armed Forces Retirement Home and who would report to the Secretary of Defense.
The Senate recedes with a clarifying amendment.

The House amendment contained no similar provision.

Local boards of trustees (sec. 1406)
The Senate bill contained a provision (sec. 1405) that would require the Secretary of Defense to appoint a local board of trustees for each facility of the Armed Forces Retirement Home and would require the Secretary of Defense to submit a report similar to that requested in the House provision to the Committee on Appropriations.
The Senate recedes with a clarifying amendment.

Directors, Deputy Directors, Associate Directors, and staff of facilities (sec. 1407)
The Senate bill contained a provision (sec. 1406) that would revise the Armed Forces Retirement Home Act of 1991 to remove the authority of the Armed Forces Retirement Home (AFRH) to determine the number of requisite administrative, operational, and financial personnel.
The Senate recedes with a clarifying amendment.

Disposition of effects of deceased persons and unclaimed property (sec. 1408)
The Senate bill contained a provision (sec. 1407) that would require the Secretary of Defense to appoint a local board of trustees for each facility of the Armed Forces Retirement Home and would require the Secretary of Defense to submit a report.
The Senate recedes with a clarifying amendment.

The House amendment contained no similar provision.

The House recedes with a clarifying amendment.

The Senate bill contained a provision (sec. 1405) that would authorize the Director of the Armed Forces Retirement Home to designate an attorney who is a full-time officer or employee of the United States or a member of the armed forces on active duty to serve as attorney for the facility in certain probate proceedings.
The Senate recedes with a clarifying amendment.

Title XIV—Armed Forces Retirement Home

Legislative Provisions Adopted
Amendment of Armed Forces Retirement Home Act of 1991 (sec. 1401)
The Senate bill contained a provision (sec. 1041) that would revise the Armed Forces Retirement Home Act of 1991 to implement changes resulting from a Department of Defense assessment of the Armed Forces Retirement Home.
The Senate recedes with a clarifying amendment.

The House amendment contained no similar provision.

The Senate recedes.

The conference notes that the operational and structural changes reflected in Title XIV require Responsible Assistant Secretary for Defense (Force Management Policy), the Vice Chief of Staff of the Army, the Vice Chief of Naval Operations, the Vice Chief of the Air Force, and the Assistant Commandant of the Marine Corps. The conference notes that any additional changes made in the NDAA to the reporting requirements to accommodate DOD concerns, the DOD still has not submitted the reports required by law.

Title XIV—Armed Forces Retirement Home

Definitions (sec. 1402)
The Senate bill contained a provision (sec. 1042) that would amend the Armed Forces Retirement Home, Local Board, Armed Forces Retirement Home Trust Fund, and Fund.

The Senate recedes with a clarifying amendment.

The House amendment contained no similar provision.

The Senate recedes.

Revision of authority establishing the Armed Forces Retirement Home (sec. 1403)
The Senate bill contained a provision (sec. 1043) that would establish the Armed Forces Retirement Home as an independent establishment of the Executive Branch to provide housing and related services for certain retired and former members of the armed forces.
The Senate recedes with a clarifying amendment.

The House amendment contained no similar provision.

The Senate recedes.

Transitional provisions (sec. 1409)
The Senate bill contained a transitional provision (sec. 1304) that would authorize the Armed Forces Retirement Home Board to continue to serve and perform the duties of the Chief Operating Officer until the Secretary of Defense appoints a new Chief Operating Officer, and for the temporary continuation of the Director of the Armed Forces Retirement Home.
to submit a report to Congress on the Department of Defense (DOD) policies, plans and procedures for combating terrorism. The intent of the provision was to achieve a clear description of the structure, strategy, roles, responsibilities and relationships of the various DOD entities with responsibilities relating to combating terrorism. The report was to be submitted on a single designated civilian in the DOD to address the various issues pertaining to combating terrorism.

The House amendment contained four provisions related to the Department’s role in homeland security or combating terrorism. One provision (sec. 1512) required the Secretary of Defense to submit to the Congress and the President a report containing an assessment of the Department’s ability to provide support for the consequence management activities of other federal, state, and local agencies, taking into account the terrorist attacks on the United States on September 11, 2001. A third House provision (sec. 1512) directed the Secretary of Defense on the ability of the DOD to protect the United States from airborne threats, including those originating from international borders. A fourth House provision (sec. 1514) directed the Secretary of Defense to seek agreements with the Directors of the Federal Bureau of Investigation and the National Security Agency that clarifies the roles and missions of the DOD Weapons of Mass Destruction-Civil Support Teams (WMD-CSTs) relative to terrorist response and consequence management efforts.

The conferences agreed to merge the four House amendment provisions into the Senate amendment provisions. The Senate amendment provisions contained in the Senate amendment provisions required the Secretary of Defense to conduct a study on the appropriate role for the Department of Defense with respect to homeland security. The study would include a description of plans, policies, and procedures of the Department of Defense for combating terrorism. It would also identify how the DOD would inter act with the Office of Homeland Security, and how intelligence-sharing efforts of the Department will be coordinated relative to those agencies in crisis response activity. This one-time transfer was intended to address vulnerabilities associated with this equipment so long as it remains DOD property.

The Senate amendment contained no similar provision.

The House recedes.

Amendments of other laws

LEGISLATIVE PROVISIONS NOT ADOPTED

The Senate bill contained a provision (sec. 1051) that would amend section 4301(d)(2) of title 5, United States Code, to exclude the Chief Operating Officer and the Deputy Directors of the Armed Forces Retirement Home from the definition of employee for purposes of performance appraisals under chapter 48 of title 5, United States Code.

The House amendment contained no similar provision.

The House recedes.

Conforming and clerical amendments and repeals of obsolete provisions (sec. 1410)

The Senate bill contained a provision (sec. 1580) that would make conforming technical amendments to title 28, United States Code.

The House amendment contained no similar provision.

The House recedes.

POLICY MATTERS RELATING TO COMBATTING TERRORISM

Authority of emergency appropriations under the 2001 Emergency Supplemental Appropriations Act for Recovering From and Response to Terrorist Attacks on the United States (secs. 1501–1506)

The Senate bill contained a provision (sec. 1019) that would authorize the supplemental appropriations for the Defense Department enacted in the Emergency Terrorist Response Supplemental Appropriations Act, 2001 (P.L. 107-296), which provided supplemental funding for Department of Defense programs in response to terrorist attacks against the United States. The Senate bill would also require quarterly reports by the Secretary of Defense to the Committees on Armed Services of the Senate and the House of Representatives on the use of funds made available to the Department of Defense, as well as reports on the allocation of funds under that Act that are made available to the Department of Defense subject to the 15-day notification. The House amendment contained no similar provision.

The House amendment contained no similar provision.

The Senate amendment provisions included in the term "aggression." The Senate bill contained no similar provision.

The House recedes.

Committing Terrorist Readiness Initiatives Fund for combatant commands (sec. 1512)

The Senate bill contained a provision (sec. 1008) that would include title 18, United States Code, the authority and specific activities to be funded under the Combating Terrorism Readiness Initiative Fund. The House amendment contained no similar provision.

The House recedes.

Conveyances of equipment and related materials leased to state and local governments as assistance for emergency response to a use or threatened use of a weapon of mass destruction (sec. 1512)

The Senate bill contained a provision (sec. 1008) that would require the Department of Defense (DOD) to transfer to state and local authorities training equipment it has leased to the Domestic Preparedness Program, which was established in accordance with the Defense Against Weapons of Mass Destruction Act of 1996 (otherwise known as the Nunn-Lugar-Domenici Act) (Title XIV of the National Defense Authorization Act for Fiscal Year 1997). That equipment was previously transferred to the Department on behalf of cities participating in the Domestic Preparedness Program. That equipment has been permanently retained by the departments that have been designated to receive the equipment. In addition, local authorities have incurred the additional task of maintaining records to DOD standards. The Senate amendment would be extended to eliminate the financial cost, labor and liabilities associated with this equipment so long as it remains DOD property.

The House amendment contained no similar provision.

The House recedes.

Two-year extension of the Advisory Panel to Assess Domestic Response Capabilities for Terrorism Involving Weapons of Mass Destruction (sec. 1514)

The House amendment contained a provision (sec. 1032) that would amend section 1045 of the Strom Thurmond National Defense Authorization Act for Fiscal Year 2000 to extend the Advisory Panel to Assess Domestic Response Capabilities for Terrorism Involving Weapons of Mass Destruction (WMD) by two additional years. The life of the panel would thereby be extended until 2003.

The Senate bill contained no such provision.

The Senate amendment provisions included in the term "aggression." The Senate bill contained no similar provision.

The House recedes.

Uniformed Services Voting (sec. 1601)

The Senate amendment provisions included in the term "aggression." The Senate bill contained no similar provision.

The Senate amendment provisions contained in the term "aggression." The Senate bill contained no similar provision.

The Senate amendment provisions included in the term "aggression." The Senate bill contained no similar provision.
The House amendment contained no similar provision.

The House recedes with a clarifying amendment that would express a sense of the Congress.

**Voting assistance programs (sec. 1602)**

The Senate bill contained a provision (sec. 578) that would require the Secretary of Defense to promulgate regulations to ensure that each service, personnel, with direct access to military orders would not, solely by reason of that absence, be deemed to have: (1) lost a residence or domicile in that state; (2) acquired a residence or domicile in another state; or (3) become a resident in or of any other state.

The House amendment contained no similar provision.

The House recedes.

**Electronic voting demonstration project (sec. 1604)**

The Senate bill contained a provision (sec. 577) that would require the Department of Defense to conduct an electronic voting demonstration for absent military voters in the November, 2002, federal election.

The House amendment contained a similar provision (sec. 551) that would also establish certain requirements for voting assistance officers, and require polling of units and ships at sea regarding the availability of voting materials prior to congressional elections.

The House recedes with an amendment that would combine elements of the two provisions.

**Guarantee of residency for military personnel (sec. 1603)**

The Senate bill contained a provision (sec. 573) that would provide that for purposes of voting in any federal, state or local election, a person absent from a state pursuant to military orders would not, solely by reason of that absence, be deemed to have: (1) lost a residence or domicile in that state; (2) acquired a residence or domicile in another state; or (3) become a resident in or of any other state.

The House amendment contained no similar provision.

The House recedes.

**Maximization of access of recently separated uniformed service voters to the polls**

The Senate bill contained a provision (sec. 579) that would require states to accept absentee registration applications by military personnel before they separate from the military and that would allow them, after they leave the military, to vote in any election for which they are properly registered.

The House amendment contained no similar provision.

The Senate recedes.

**Use of certain Department of Defense facilities as polling places (sec. 1607)**

The House amendment contained a provision (sec. 575) that would require states to accept and process the official postcard form as a simultaneous absentee voter register application and absentee ballot application. The Senate bill also contained a provision (sec. 576) that would require states to accept and process a single absentee ballot application from an absent uniformed services voter or overseas voter for all general, special, primary, and runoff federal elections occurring during a year if the application is received not less than 30 days before the first federal election occurring that year.

The House amendment contained no similar provision.

The House recedes with an amendment that would combine the two provisions and require states to provide absentee ballots for each subsequent federal election during a year only if the voter requests that the application and absentee ballot application. The Senate bill contained a similar provision (sec. 551).

**Simplification of voter registration and absentee application procedures for absent uniformed services and overseas voters (sec. 1606)**

The Senate bill contained a provision (sec. 577) that would require states to accept and process the official postcard form as a simultaneous absentee voter register application and absentee ballot application.

The House amendment contained a provision (sec. 574) that would require states to permit unformed services voters to use absentee procedures to register and vote in state and local elections.

The House amendment contained no similar provision.

The Senate recedes.

**Legislative provisions not adopted**

The Senate bill contained a provision (sec. 580) that would require the chief executive officer of a state to report on the implementation of a uniformed services voting assistance legislative recommendation within 90 days of receipt of that recommendation.

The House amendment contained no similar provision.

The House recedes with a clarifying amendment.

**Extension of registration and balloting rights for absent uniformed services voters to state and local elections**

The Senate bill contained a provision (sec. 578) that would require states to permit uniformed services voters to use absentee procedures to register and vote in state and local elections.
## Summary of National Defense Authorization for FY 2002

(In Thousands of Dollars)

<table>
<thead>
<tr>
<th></th>
<th>Authorization Request</th>
<th>House Authorized</th>
<th>Senate Authorized</th>
<th>Conference Change</th>
<th>Conference Agreement</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Military Construction</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Military Construction, Army</td>
<td>1,760,541</td>
<td>1,686,601</td>
<td>1,635,341</td>
<td>(17,341)</td>
<td>1,743,160</td>
</tr>
<tr>
<td>Military Construction, Navy</td>
<td>1,031,408</td>
<td>1,159,634</td>
<td>1,140,918</td>
<td>53,659</td>
<td>1,124,867</td>
</tr>
<tr>
<td>Military Construction, Air Force</td>
<td>1,068,250</td>
<td>1,171,504</td>
<td>1,176,289</td>
<td>109,343</td>
<td>1,177,704</td>
</tr>
<tr>
<td>Military Construction, Defense Wide</td>
<td>694,558</td>
<td>838,957</td>
<td>859,744</td>
<td>107,785</td>
<td>802,483</td>
</tr>
<tr>
<td>Military Construction, Army National Guard</td>
<td>267,389</td>
<td>301,915</td>
<td>360,240</td>
<td>123,851</td>
<td>393,253</td>
</tr>
<tr>
<td>Military Construction, Air National Guard</td>
<td>149,072</td>
<td>197,472</td>
<td>232,232</td>
<td>107,480</td>
<td>237,802</td>
</tr>
<tr>
<td>Military Construction, Army Reserve</td>
<td>111,014</td>
<td>133,017</td>
<td>111,404</td>
<td>57,565</td>
<td>168,969</td>
</tr>
<tr>
<td>Military Construction, Naval/MC Reserve</td>
<td>33,641</td>
<td>53,291</td>
<td>33,041</td>
<td>19,355</td>
<td>52,896</td>
</tr>
<tr>
<td>Military Construction, Air Force Reserve</td>
<td>53,732</td>
<td>79,132</td>
<td>53,732</td>
<td>19,000</td>
<td>73,032</td>
</tr>
<tr>
<td>Base Realignment and Closure IV</td>
<td>532,200</td>
<td>532,200</td>
<td>592,200</td>
<td>100,311</td>
<td>632,511</td>
</tr>
<tr>
<td>NATO Security Investment Program</td>
<td>162,600</td>
<td>162,600</td>
<td>162,600</td>
<td>5,600</td>
<td>168,200</td>
</tr>
<tr>
<td>Total Military Construction</td>
<td>5,904,795</td>
<td>6,339,343</td>
<td>6,364,371</td>
<td>680,341</td>
<td>6,385,524</td>
</tr>
<tr>
<td><strong>Family Housing</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Family Housing Construction, Army</td>
<td>294,042</td>
<td>294,042</td>
<td>313,852</td>
<td>21,200</td>
<td>312,742</td>
</tr>
<tr>
<td>Family Housing Operations &amp; Debris, Army</td>
<td>1,108,991</td>
<td>1,072,813</td>
<td>1,108,991</td>
<td>(16,180)</td>
<td>1,092,813</td>
</tr>
<tr>
<td>Family Housing Construction, Navy</td>
<td>301,380</td>
<td>333,180</td>
<td>312,591</td>
<td>27,300</td>
<td>331,290</td>
</tr>
<tr>
<td>Family Housing Operations &amp; Debris, Navy</td>
<td>918,095</td>
<td>900,171</td>
<td>918,095</td>
<td>(8,000)</td>
<td>910,095</td>
</tr>
<tr>
<td>Family Housing Construction, Air Force</td>
<td>518,237</td>
<td>536,237</td>
<td>542,381</td>
<td>32,166</td>
<td>550,547</td>
</tr>
<tr>
<td>Family Housing Operations &amp; Debris, Air Force</td>
<td>869,121</td>
<td>818,293</td>
<td>869,121</td>
<td>(24,806)</td>
<td>844,315</td>
</tr>
<tr>
<td>Family Housing Construction, Defense Wide</td>
<td>250</td>
<td>250</td>
<td>250</td>
<td>-</td>
<td>250</td>
</tr>
<tr>
<td>Family Housing Operations &amp; Debris, Defense</td>
<td>43,762</td>
<td>43,762</td>
<td>43,762</td>
<td>-</td>
<td>43,762</td>
</tr>
<tr>
<td>Family Housing Improvement Fund</td>
<td>2,000</td>
<td>2,000</td>
<td>2,000</td>
<td>-</td>
<td>2,000</td>
</tr>
<tr>
<td>Homeowners Assistance Fund</td>
<td>10,119</td>
<td>10,119</td>
<td>10,119</td>
<td>-</td>
<td>10,119</td>
</tr>
<tr>
<td>Total Family Housing</td>
<td>4,066,517</td>
<td>3,965,369</td>
<td>4,121,162</td>
<td>29,322</td>
<td>4,095,479</td>
</tr>
<tr>
<td><strong>Total FY2002 Authorization</strong></td>
<td>9,971,312</td>
<td>10,324,712</td>
<td>10,485,533</td>
<td>709,956</td>
<td>10,684,268</td>
</tr>
<tr>
<td><strong>Recessional Foreign Currency (FL 107-64)</strong></td>
<td>(55,000)</td>
<td>(55,000)</td>
<td>(55,000)</td>
<td>(55,000)</td>
<td>(55,000)</td>
</tr>
<tr>
<td><strong>Prior Year Savings: NHQ (sec 2004)</strong></td>
<td>-</td>
<td>(55,000)</td>
<td>(55,000)</td>
<td>(55,000)</td>
<td>(55,000)</td>
</tr>
<tr>
<td><strong>Prior Year Savings: Classified (sec. 2106)</strong></td>
<td>-</td>
<td>(36,400)</td>
<td>(36,400)</td>
<td>(36,400)</td>
<td>(36,400)</td>
</tr>
<tr>
<td><strong>Prior Year Savings: Navy PIN (sec. 2205)</strong></td>
<td>(19,388)</td>
<td>(19,388)</td>
<td>(19,388)</td>
<td>(19,388)</td>
<td>(19,388)</td>
</tr>
<tr>
<td><strong>Recessional: Army FY3 (FL 107-64)</strong></td>
<td>(10,250)</td>
<td>(10,250)</td>
<td>(10,250)</td>
<td>(10,250)</td>
<td>(10,250)</td>
</tr>
<tr>
<td><strong>Total Budget Authority Implication</strong></td>
<td>9,971,312</td>
<td>10,324,712</td>
<td>10,430,533</td>
<td>528,958</td>
<td>10,550,000</td>
</tr>
</tbody>
</table>
## Fiscal Year 2002 Authorization of Appropriations for Military Construction

(dollars in thousands)

<table>
<thead>
<tr>
<th>Location</th>
<th>Service/Activity/Air Force/Army</th>
<th>Installation</th>
<th>Project Title</th>
<th>FY2002</th>
<th>House Authorized</th>
<th>Senate Authorized</th>
<th>Conference Change</th>
<th>Appropriations</th>
</tr>
</thead>
<tbody>
<tr>
<td>Alabama</td>
<td>Army</td>
<td>Anniston</td>
<td>Component Maintenance Fac</td>
<td>2,300</td>
<td>2,300</td>
<td>2,300</td>
<td>2,300</td>
<td></td>
</tr>
<tr>
<td>Alabama</td>
<td>Army</td>
<td>Anniston</td>
<td>Rebuild Shop And Fac</td>
<td>2,850</td>
<td>2,850</td>
<td>2,850</td>
<td>2,850</td>
<td></td>
</tr>
<tr>
<td>Alabama</td>
<td>Army</td>
<td>Fort Rucker</td>
<td>Combat Support Training Fac</td>
<td>14,200</td>
<td>14,200</td>
<td>14,200</td>
<td>14,200</td>
<td></td>
</tr>
<tr>
<td>Alabama</td>
<td>Army</td>
<td>Fort Rucker</td>
<td>Aircraft Parts Warehouse</td>
<td>6,600</td>
<td>6,600</td>
<td>6,600</td>
<td>6,600</td>
<td></td>
</tr>
<tr>
<td>Alabama</td>
<td>Army</td>
<td>Redstone</td>
<td>Munitions FAC</td>
<td>7,700</td>
<td>7,700</td>
<td>7,700</td>
<td>7,700</td>
<td></td>
</tr>
<tr>
<td>Alabama</td>
<td>Army</td>
<td>Redstone</td>
<td>Patient Unit Training Equipioment Site</td>
<td>3,300</td>
<td>3,300</td>
<td>3,300</td>
<td>3,300</td>
<td></td>
</tr>
<tr>
<td>Alabama</td>
<td>Army</td>
<td>Redstone</td>
<td>Armaments Surveillance FAC</td>
<td>4,400</td>
<td>4,400</td>
<td>4,400</td>
<td>4,400</td>
<td></td>
</tr>
<tr>
<td>Alabama</td>
<td>Air Force</td>
<td>Maxwell AFB</td>
<td>Maxwell AFB</td>
<td>9,000</td>
<td>9,000</td>
<td>9,000</td>
<td>9,000</td>
<td></td>
</tr>
<tr>
<td>Alabama</td>
<td>Air Force</td>
<td>Maxwell AFB</td>
<td>Replace O/S (M) (E)</td>
<td>11,800</td>
<td>11,800</td>
<td>11,800</td>
<td>11,800</td>
<td></td>
</tr>
<tr>
<td>Alabama</td>
<td>Air Force</td>
<td>Maxwell AFB</td>
<td>Squadron Officers School Dormitory</td>
<td>13,600</td>
<td>13,600</td>
<td>13,600</td>
<td>13,600</td>
<td></td>
</tr>
<tr>
<td>Alabama</td>
<td>Army National Guard</td>
<td>Huntsville</td>
<td>Unit Training Equipment Site (ETES)</td>
<td>7,498</td>
<td>7,498</td>
<td>7,498</td>
<td>7,498</td>
<td></td>
</tr>
<tr>
<td>Alabama</td>
<td>Army National Guard</td>
<td>Mobile</td>
<td>Readiness Center, Addition And Alteration</td>
<td>6,400</td>
<td>6,400</td>
<td>6,400</td>
<td>6,400</td>
<td></td>
</tr>
<tr>
<td>Alabama</td>
<td>Air National Guard</td>
<td>Davis AFB</td>
<td>26th Combat Center SQD Complex</td>
<td>11,000</td>
<td>11,000</td>
<td>11,000</td>
<td>11,000</td>
<td></td>
</tr>
<tr>
<td>Alabama</td>
<td>Air Force</td>
<td>Maxwell AFB</td>
<td>Replacement Fuel Cell Maintenance Fac</td>
<td>7,100</td>
<td>7,100</td>
<td>7,100</td>
<td>7,100</td>
<td></td>
</tr>
<tr>
<td>Alabama</td>
<td>Air Force</td>
<td>Maxwell AFB</td>
<td>Replacement Maintenance Hangar</td>
<td>9,900</td>
<td>9,900</td>
<td>9,900</td>
<td>9,900</td>
<td></td>
</tr>
<tr>
<td>Alaska</td>
<td>Air Force</td>
<td>Fort Richardson</td>
<td>barracks Complex 1 (Bar 1)</td>
<td>4,500</td>
<td>4,500</td>
<td>4,500</td>
<td>4,500</td>
<td></td>
</tr>
<tr>
<td>Alaska</td>
<td>Air Force</td>
<td>Fort Richardson</td>
<td>MCIT College Training Fac</td>
<td>10,000</td>
<td>10,000</td>
<td>10,000</td>
<td>10,000</td>
<td></td>
</tr>
<tr>
<td>Alaska</td>
<td>Army</td>
<td>Fort Wainwright</td>
<td>Assembly Building</td>
<td>4,200</td>
<td>4,200</td>
<td>4,200</td>
<td>4,200</td>
<td></td>
</tr>
<tr>
<td>Alaska</td>
<td>Army</td>
<td>Fort Wainwright</td>
<td>Power Plant Cooling Towers</td>
<td>23,000</td>
<td>23,000</td>
<td>23,000</td>
<td>23,000</td>
<td></td>
</tr>
<tr>
<td>Alaska</td>
<td>Air Force</td>
<td>Eielson AFB</td>
<td>Upgrade Wastewater Systems</td>
<td>4,600</td>
<td>4,600</td>
<td>4,600</td>
<td>4,600</td>
<td></td>
</tr>
<tr>
<td>Alaska</td>
<td>Air Force</td>
<td>Eielson AFB</td>
<td>Add New Aircraft Fuel System Maintenance Hangar</td>
<td>12,200</td>
<td>12,200</td>
<td>12,200</td>
<td>12,200</td>
<td></td>
</tr>
<tr>
<td>Alaska</td>
<td>Air Force</td>
<td>Eielson AFB</td>
<td>Hospital Recreation (Ph II)</td>
<td>20,000</td>
<td>20,000</td>
<td>20,000</td>
<td>20,000</td>
<td></td>
</tr>
<tr>
<td>Alaska</td>
<td>DLA</td>
<td>Eielson AFB</td>
<td>Replace Bulk Fuel Storage Tanks</td>
<td>8,800</td>
<td>8,800</td>
<td>8,800</td>
<td>8,800</td>
<td></td>
</tr>
<tr>
<td>Alaska</td>
<td>TMA</td>
<td>Fort Wainwright</td>
<td>Hospital Replacement (Ph I)</td>
<td>14,500</td>
<td>14,500</td>
<td>14,500</td>
<td>14,500</td>
<td></td>
</tr>
<tr>
<td>Alaska</td>
<td>Army National Guard</td>
<td>Juneau</td>
<td>Readiness Center</td>
<td>7,568</td>
<td>7,568</td>
<td>7,568</td>
<td>7,568</td>
<td></td>
</tr>
<tr>
<td>Alaska</td>
<td>Air National Guard</td>
<td>Eielson AFB</td>
<td>Upgrade 20th Combat Command Facilities</td>
<td>5,000</td>
<td>5,000</td>
<td>5,000</td>
<td>5,000</td>
<td></td>
</tr>
<tr>
<td>Arizona</td>
<td>Army</td>
<td>Fort Huachuca</td>
<td>Efficient Route System</td>
<td>6,100</td>
<td>6,100</td>
<td>6,100</td>
<td>6,100</td>
<td></td>
</tr>
<tr>
<td>Arizona</td>
<td>Army</td>
<td>Yuma Prov. Ground</td>
<td>Range Improvement</td>
<td>3,100</td>
<td>3,100</td>
<td>3,100</td>
<td>3,100</td>
<td></td>
</tr>
<tr>
<td>Arizona</td>
<td>Navy</td>
<td>Buckley AFB</td>
<td>V-AFS Yuma</td>
<td>6,750</td>
<td>6,750</td>
<td>6,750</td>
<td>6,750</td>
<td></td>
</tr>
<tr>
<td>Arizona</td>
<td>Navy</td>
<td>MCAS Yuma</td>
<td>V-AFS Yuma</td>
<td>8,660</td>
<td>8,660</td>
<td>8,660</td>
<td>8,660</td>
<td></td>
</tr>
<tr>
<td>Arizona</td>
<td>Air Force</td>
<td>Davis Monthan AFB</td>
<td>V-AFS Yuma</td>
<td>7,160</td>
<td>7,160</td>
<td>7,160</td>
<td>7,160</td>
<td></td>
</tr>
<tr>
<td>Arizona</td>
<td>Air Force</td>
<td>Davis Monthan AFB</td>
<td>V-AFS Yuma</td>
<td>7,160</td>
<td>7,160</td>
<td>7,160</td>
<td>7,160</td>
<td></td>
</tr>
<tr>
<td>Arizona</td>
<td>Air Force</td>
<td>Davis Monthan AFB</td>
<td>Replacement Air Traffic Control Tower</td>
<td>8,600</td>
<td>8,600</td>
<td>8,600</td>
<td>8,600</td>
<td></td>
</tr>
<tr>
<td>Arizona</td>
<td>Air Force</td>
<td>Davis Monthan AFB</td>
<td>Child Development Center</td>
<td>6,200</td>
<td>6,200</td>
<td>6,200</td>
<td>6,200</td>
<td></td>
</tr>
<tr>
<td>Arizona</td>
<td>Air Force</td>
<td>Luke AFB</td>
<td>AS &amp; KGC Child Development Center</td>
<td>4,500</td>
<td>4,500</td>
<td>4,500</td>
<td>4,500</td>
<td></td>
</tr>
<tr>
<td>Location</td>
<td>Service/Agency/Program</td>
<td>Installation</td>
<td>Project Title</td>
<td>FY2002 Request</td>
<td>House Authorized</td>
<td>Senate Authorized</td>
<td>Conference Change</td>
<td>Conference Appropriation</td>
</tr>
<tr>
<td>----------</td>
<td>------------------------</td>
<td>--------------</td>
<td>---------------</td>
<td>----------------</td>
<td>-----------------</td>
<td>------------------</td>
<td>-------------------</td>
<td>--------------------------</td>
</tr>
<tr>
<td>Arizona</td>
<td>Army National Guard</td>
<td>Marana</td>
<td>Aviation Maintenance Hangar</td>
<td>$14,358</td>
<td>$14,358</td>
<td>$14,358</td>
<td>$14,358</td>
<td>$14,358</td>
</tr>
<tr>
<td>Arizona</td>
<td>Army National Guard</td>
<td>Phoenix Field Reservation</td>
<td>Aviation Assembly</td>
<td>$10,900</td>
<td>$10,900</td>
<td>$10,900</td>
<td>$10,900</td>
<td>$10,900</td>
</tr>
<tr>
<td>Arizona</td>
<td>Air Force Reserve</td>
<td>Luke AFB</td>
<td>USAF Contingency Operations Build 974</td>
<td>$4,100</td>
<td>$4,100</td>
<td>$4,100</td>
<td>$4,100</td>
<td>$4,100</td>
</tr>
<tr>
<td>Arizona</td>
<td>Army</td>
<td>Picacho Army</td>
<td>Ammunition Decontamination Facility (FY VI)</td>
<td>$26,000</td>
<td>$26,000</td>
<td>$26,000</td>
<td>$26,000</td>
<td>$26,000</td>
</tr>
<tr>
<td>Alaska</td>
<td>Air Force</td>
<td>Eielson AFB</td>
<td>C 130 J Super Hercules FAC</td>
<td>$10,600</td>
<td>$10,600</td>
<td>$10,600</td>
<td>$10,600</td>
<td>$10,600</td>
</tr>
<tr>
<td>Alaska</td>
<td>Air Force</td>
<td>Eielson AFB</td>
<td>Base Fuel Station</td>
<td>$7,500</td>
<td>$7,500</td>
<td>$7,500</td>
<td>$7,500</td>
<td>$7,500</td>
</tr>
<tr>
<td>Alaska</td>
<td>Army</td>
<td>Chevak</td>
<td>Ammunition Decontamination Facility (FY VI)</td>
<td>$26,000</td>
<td>$26,000</td>
<td>$26,000</td>
<td>$26,000</td>
<td>$26,000</td>
</tr>
<tr>
<td>California</td>
<td>Army</td>
<td>Defense Language Institute</td>
<td>Maintenance Area Training Equipment Site</td>
<td>$21,000</td>
<td>$21,000</td>
<td>$21,000</td>
<td>$21,000</td>
<td>$21,000</td>
</tr>
<tr>
<td>California</td>
<td>Army</td>
<td>Fort Irwin</td>
<td>MAGTF 1/1 Training Facility</td>
<td>$9,860</td>
<td>$9,860</td>
<td>$9,860</td>
<td>$9,860</td>
<td>$9,860</td>
</tr>
<tr>
<td>California</td>
<td>Navy</td>
<td>March Field 1/1</td>
<td>Maintenance Storage Facility</td>
<td>$9,450</td>
<td>$9,450</td>
<td>$9,450</td>
<td>$9,450</td>
<td>$9,450</td>
</tr>
<tr>
<td>California</td>
<td>Navy</td>
<td>March Field 1/1</td>
<td>BEQ</td>
<td>$29,673</td>
<td>$29,673</td>
<td>$29,673</td>
<td>$29,673</td>
<td>$29,673</td>
</tr>
<tr>
<td>California</td>
<td>Navy</td>
<td>March Field 1/1</td>
<td>Enlisted Dining Facility</td>
<td>$11,930</td>
<td>$11,930</td>
<td>$11,930</td>
<td>$11,930</td>
<td>$11,930</td>
</tr>
<tr>
<td>California</td>
<td>Navy</td>
<td>March Field 1/1</td>
<td>Reserve Support Facility</td>
<td>$8,760</td>
<td>$8,760</td>
<td>$8,760</td>
<td>$8,760</td>
<td>$8,760</td>
</tr>
<tr>
<td>California</td>
<td>Navy</td>
<td>March Field 1/1</td>
<td>Vehicle Wash Station</td>
<td>$5,900</td>
<td>$5,900</td>
<td>$5,900</td>
<td>$5,900</td>
<td>$5,900</td>
</tr>
<tr>
<td>California</td>
<td>Navy</td>
<td>NS Bay Camp Pendleton</td>
<td>Aircraft Hangar Improvement</td>
<td>$4,170</td>
<td>$4,170</td>
<td>$4,170</td>
<td>$4,170</td>
<td>$4,170</td>
</tr>
<tr>
<td>California</td>
<td>Navy</td>
<td>NS Bay Camp Pendleton</td>
<td>BEQ</td>
<td>$21,600</td>
<td>$21,600</td>
<td>$21,600</td>
<td>$21,600</td>
<td>$21,600</td>
</tr>
<tr>
<td>California</td>
<td>Navy</td>
<td>NS Bay Camp Pendleton</td>
<td>BEQ Marine 1/1/4</td>
<td>$21,270</td>
<td>$21,270</td>
<td>$21,270</td>
<td>$21,270</td>
<td>$21,270</td>
</tr>
<tr>
<td>California</td>
<td>Navy</td>
<td>NS Bay Camp Pendleton</td>
<td>Base Maintenance FAC</td>
<td>$11,980</td>
<td>$11,980</td>
<td>$11,980</td>
<td>$11,980</td>
<td>$11,980</td>
</tr>
<tr>
<td>California</td>
<td>Navy</td>
<td>NS Bay Camp Pendleton</td>
<td>Hickory Landing Field</td>
<td>$3,910</td>
<td>$3,910</td>
<td>$3,910</td>
<td>$3,910</td>
<td>$3,910</td>
</tr>
<tr>
<td>California</td>
<td>Navy</td>
<td>NS Bay Camp Pendleton</td>
<td>Instructional Physical Fitness Facility</td>
<td>$11,940</td>
<td>$11,940</td>
<td>$11,940</td>
<td>$11,940</td>
<td>$11,940</td>
</tr>
<tr>
<td>California</td>
<td>Navy</td>
<td>NS Bay Camp Pendleton</td>
<td>Joint/Margaretta Plant (FY III)</td>
<td>$11,940</td>
<td>$11,940</td>
<td>$11,940</td>
<td>$11,940</td>
<td>$11,940</td>
</tr>
<tr>
<td>California</td>
<td>Navy</td>
<td>NAF Coronado</td>
<td>Training FAC</td>
<td>$8,610</td>
<td>$8,610</td>
<td>$8,610</td>
<td>$8,610</td>
<td>$8,610</td>
</tr>
<tr>
<td>California</td>
<td>Navy</td>
<td>NAF El Centro</td>
<td>Transmission BEQ</td>
<td>$23,270</td>
<td>$23,270</td>
<td>$23,270</td>
<td>$23,270</td>
<td>$23,270</td>
</tr>
<tr>
<td>California</td>
<td>Navy</td>
<td>NAF El Centro</td>
<td>BEQ</td>
<td>$10,010</td>
<td>$10,010</td>
<td>$10,010</td>
<td>$10,010</td>
<td>$10,010</td>
</tr>
<tr>
<td>California</td>
<td>Navy</td>
<td>NAF El Centro</td>
<td>Supply Pier</td>
<td>$13,750</td>
<td>$13,750</td>
<td>$13,750</td>
<td>$13,750</td>
<td>$13,750</td>
</tr>
<tr>
<td>California</td>
<td>Navy</td>
<td>HAWC Island</td>
<td>Combined Expedition and Explosive Lab</td>
<td>$10,150</td>
<td>$10,150</td>
<td>$10,150</td>
<td>$10,150</td>
<td>$10,150</td>
</tr>
<tr>
<td>California</td>
<td>Navy</td>
<td>NS Camp Pendleton</td>
<td>Auto Vehicle Maintenance Noncombat</td>
<td>$7,890</td>
<td>$7,890</td>
<td>$7,890</td>
<td>$7,890</td>
<td>$7,890</td>
</tr>
<tr>
<td>California</td>
<td>Navy</td>
<td>NS Camp Pendleton</td>
<td>Port Improvements</td>
<td>$12,900</td>
<td>$12,900</td>
<td>$12,900</td>
<td>$12,900</td>
<td>$12,900</td>
</tr>
<tr>
<td>California</td>
<td>Navy</td>
<td>NS San Diego</td>
<td>BEQ</td>
<td>$47,910</td>
<td>$47,910</td>
<td>$47,910</td>
<td>$47,910</td>
<td>$47,910</td>
</tr>
<tr>
<td>California</td>
<td>Navy</td>
<td>NS San Diego</td>
<td>Replace Pier 10/11 (Item I)</td>
<td>$17,500</td>
<td>$17,500</td>
<td>$17,500</td>
<td>$17,500</td>
<td>$17,500</td>
</tr>
<tr>
<td>Location</td>
<td>Service/Agency/Program</td>
<td>Installation</td>
<td>Project Title</td>
<td>FY2002 Request</td>
<td>House Authorized</td>
<td>Senate Authorized</td>
<td>Conference Change</td>
<td>Conference Approval</td>
</tr>
<tr>
<td>----------</td>
<td>------------------------</td>
<td>--------------</td>
<td>---------------</td>
<td>----------------</td>
<td>-----------------</td>
<td>-----------------</td>
<td>------------------</td>
<td>------------------</td>
</tr>
<tr>
<td>California</td>
<td>Air Force</td>
<td>Edwards AFB</td>
<td>ADEL Terminal Area Control Fac</td>
<td>9,600</td>
<td>9,600</td>
<td>8,900</td>
<td>700</td>
<td>8,900</td>
</tr>
<tr>
<td>California</td>
<td>Air Force</td>
<td>Edwards AFB</td>
<td>Consolidated Support Fac</td>
<td>11,700</td>
<td>11,700</td>
<td>11,700</td>
<td>0</td>
<td>11,700</td>
</tr>
<tr>
<td>California</td>
<td>Air Force</td>
<td>Edwards AFB</td>
<td>Base Operations Fac</td>
<td>5,000</td>
<td>5,000</td>
<td>5,000</td>
<td>0</td>
<td>5,000</td>
</tr>
<tr>
<td>California</td>
<td>Air Force</td>
<td>Los Angeles AFB</td>
<td>Consolidated Base Support Complex</td>
<td>23,000</td>
<td>23,000</td>
<td>23,000</td>
<td>0</td>
<td>23,000</td>
</tr>
<tr>
<td>California</td>
<td>Air Force</td>
<td>Travis AFB</td>
<td>Replace Support Fac</td>
<td>8,100</td>
<td>8,100</td>
<td>8,100</td>
<td>0</td>
<td>8,100</td>
</tr>
<tr>
<td>California</td>
<td>Air Force</td>
<td>Travis AFB</td>
<td>C 5 Squadron Operations</td>
<td>-</td>
<td>9,600</td>
<td>-</td>
<td></td>
<td></td>
</tr>
<tr>
<td>California</td>
<td>Air Force</td>
<td>Travis AFB</td>
<td>Radar Approach Control Center</td>
<td>3,300</td>
<td>3,300</td>
<td>3,300</td>
<td>0</td>
<td>3,300</td>
</tr>
<tr>
<td>California</td>
<td>Air Force</td>
<td>Vandenberg AFB</td>
<td>Missile Transport Bridge</td>
<td>11,800</td>
<td>11,800</td>
<td>11,800</td>
<td>0</td>
<td>11,800</td>
</tr>
<tr>
<td>California</td>
<td>Air Force</td>
<td>Beale AFB</td>
<td>Communications Operations Center</td>
<td>7,900</td>
<td>7,900</td>
<td>7,900</td>
<td>0</td>
<td>7,900</td>
</tr>
<tr>
<td>California</td>
<td>Air Force</td>
<td>Edwards AFB</td>
<td>Replace General Purpose Warehouse</td>
<td>10,000</td>
<td>10,000</td>
<td>10,000</td>
<td>0</td>
<td>10,000</td>
</tr>
<tr>
<td>California</td>
<td>Air Force</td>
<td>Edwards AFB</td>
<td>STR Seal Transf. Building</td>
<td>13,850</td>
<td>13,650</td>
<td>13,650</td>
<td>200</td>
<td>13,450</td>
</tr>
<tr>
<td>California</td>
<td>Air Force</td>
<td>Edwards AFB</td>
<td>FET/IC Support Facilities</td>
<td>3,150</td>
<td>3,150</td>
<td>3,150</td>
<td>0</td>
<td>3,150</td>
</tr>
<tr>
<td>California</td>
<td>Air Force</td>
<td>Edwards AFB</td>
<td>Medical Dental Clinic Replacement</td>
<td>4,600</td>
<td>4,600</td>
<td>4,600</td>
<td>0</td>
<td>4,600</td>
</tr>
<tr>
<td>California</td>
<td>Air Force</td>
<td>Edwards AFB</td>
<td>Medical Dental Clinic Replacement (Fort Carson)</td>
<td>3,800</td>
<td>3,800</td>
<td>3,800</td>
<td>0</td>
<td>3,800</td>
</tr>
<tr>
<td>California</td>
<td>Air Force</td>
<td>Edwards AFB</td>
<td>Medical Dental Clinic Replacement (Fort Bliss)</td>
<td>4,050</td>
<td>4,050</td>
<td>4,050</td>
<td>0</td>
<td>4,050</td>
</tr>
<tr>
<td>California</td>
<td>Air Force</td>
<td>Edwards AFB</td>
<td>Hospital LDRP Conversion</td>
<td>5,600</td>
<td>5,600</td>
<td>5,600</td>
<td>0</td>
<td>5,600</td>
</tr>
<tr>
<td>California</td>
<td>Army National Guard</td>
<td>California</td>
<td>Maneuver Area Training Equipment Site</td>
<td>21,933</td>
<td>21,933</td>
<td>21,933</td>
<td>0</td>
<td>21,933</td>
</tr>
<tr>
<td>California</td>
<td>Army National Guard</td>
<td>California</td>
<td>Readiness Center (AR)</td>
<td>4,510</td>
<td>4,510</td>
<td>4,510</td>
<td>0</td>
<td>4,510</td>
</tr>
<tr>
<td>California</td>
<td>Army National Guard</td>
<td>California</td>
<td>Readiness Center (AR)</td>
<td>-</td>
<td>15,253</td>
<td>14,011</td>
<td>14,011</td>
<td>14,011</td>
</tr>
<tr>
<td>California</td>
<td>Army National Guard</td>
<td>California</td>
<td>Vehicle Maintenance Fac</td>
<td>1,000</td>
<td>1,000</td>
<td>1,000</td>
<td>0</td>
<td>1,000</td>
</tr>
<tr>
<td>California</td>
<td>Air Force Reserve</td>
<td>California</td>
<td>FV/39 Rescue Station</td>
<td>7,200</td>
<td>7,200</td>
<td>7,200</td>
<td>0</td>
<td>7,200</td>
</tr>
<tr>
<td>Colorado</td>
<td>Air Force</td>
<td>Buckley AFB</td>
<td>Barracks Complex - Nelson Blvd (Ph 3)</td>
<td>25,000</td>
<td>25,000</td>
<td>25,000</td>
<td>0</td>
<td>25,000</td>
</tr>
<tr>
<td>Colorado</td>
<td>Air Force</td>
<td>Buckley AFB</td>
<td>Ammunition Demolition/Test Pad (Ph 11)</td>
<td>11,000</td>
<td>11,000</td>
<td>11,000</td>
<td>0</td>
<td>11,000</td>
</tr>
<tr>
<td>Colorado</td>
<td>Air Force</td>
<td>Buckley AFB</td>
<td>Install Air Conditioning - Enlisted Quarters</td>
<td>1,300</td>
<td>1,300</td>
<td>1,300</td>
<td>0</td>
<td>1,300</td>
</tr>
<tr>
<td>Colorado</td>
<td>Air Force</td>
<td>Buckley AFB</td>
<td>Replace Control Tower</td>
<td>6,400</td>
<td>6,400</td>
<td>6,400</td>
<td>0</td>
<td>6,400</td>
</tr>
<tr>
<td>Colorado</td>
<td>Air Force</td>
<td>Buckley AFB</td>
<td>Upgrade Portable Water Systems - Cadet Area</td>
<td>6,400</td>
<td>6,400</td>
<td>6,400</td>
<td>0</td>
<td>6,400</td>
</tr>
<tr>
<td>Colorado</td>
<td>Air Force</td>
<td>Buckley AFB</td>
<td>Dormitorier</td>
<td>11,200</td>
<td>11,200</td>
<td>11,200</td>
<td>0</td>
<td>11,200</td>
</tr>
<tr>
<td>Colorado</td>
<td>Air Force</td>
<td>Buckley AFB</td>
<td>Fitness Center</td>
<td>12,000</td>
<td>12,000</td>
<td>12,000</td>
<td>0</td>
<td>12,000</td>
</tr>
<tr>
<td>Colorado</td>
<td>Air Force</td>
<td>Schriever AFB</td>
<td>SMR Mission Control Station Backup</td>
<td>19,000</td>
<td>19,000</td>
<td>19,000</td>
<td>0</td>
<td>19,000</td>
</tr>
<tr>
<td>Colorado</td>
<td>Air Force</td>
<td>Schriever AFB</td>
<td>Secure Area Logistics Fac</td>
<td>11,000</td>
<td>11,000</td>
<td>11,000</td>
<td>0</td>
<td>11,000</td>
</tr>
<tr>
<td>Colorado</td>
<td>Air National Guard</td>
<td>Colorado</td>
<td>Schriever AFB</td>
<td>10,000</td>
<td>10,000</td>
<td>10,000</td>
<td>0</td>
<td>10,000</td>
</tr>
<tr>
<td>Colorado</td>
<td>Air National Guard</td>
<td>Colorado</td>
<td>Buckley AFB</td>
<td>4,000</td>
<td>4,000</td>
<td>4,000</td>
<td>0</td>
<td>4,000</td>
</tr>
<tr>
<td>Colorado</td>
<td>Air National Guard</td>
<td>Colorado</td>
<td>Buckley AFB</td>
<td>3,994</td>
<td>3,994</td>
<td>3,994</td>
<td>0</td>
<td>3,994</td>
</tr>
<tr>
<td>Location</td>
<td>Service/Agency/Program</td>
<td>Installation</td>
<td>Project Title</td>
<td>FY2002 Request</td>
<td>House Appropriation</td>
<td>Senate Appropriation</td>
<td>Conference Changes</td>
<td>Conference Appropriation</td>
</tr>
<tr>
<td>-------------------</td>
<td>------------------------</td>
<td>--------------------</td>
<td>---------------------------------------------</td>
<td>----------------</td>
<td>---------------------</td>
<td>---------------------</td>
<td>---------------------</td>
<td>------------------------</td>
</tr>
<tr>
<td>District of Columbia</td>
<td>Army National Guard</td>
<td>Fort McNair</td>
<td>Replace Air Control Squadron Complex</td>
<td>12,000</td>
<td>12,000</td>
<td>12,000</td>
<td>0</td>
<td>12,000</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Physical Fitness Training Center</td>
<td>11,600</td>
<td>11,600</td>
<td>11,600</td>
<td>0</td>
<td>11,600</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>BBQ Replacement</td>
<td>9,810</td>
<td>9,810</td>
<td>9,810</td>
<td>0</td>
<td>9,810</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>AAF/AFHQ Chapel Center</td>
<td>2,900</td>
<td>2,900</td>
<td>2,900</td>
<td>0</td>
<td>2,900</td>
</tr>
<tr>
<td>Delaware</td>
<td>Air Force</td>
<td>Dover AFB</td>
<td>Fire Station</td>
<td>7,360</td>
<td>7,360</td>
<td>7,360</td>
<td>0</td>
<td>7,360</td>
</tr>
<tr>
<td>Florida</td>
<td>Navy</td>
<td>Key West</td>
<td>An Air Traffic Center/Operations Bldg</td>
<td>11,400</td>
<td>11,400</td>
<td>11,400</td>
<td>0</td>
<td>11,400</td>
</tr>
<tr>
<td></td>
<td>Navy</td>
<td>Whiting Field</td>
<td>Amphibious Approach Lighting</td>
<td>2,140</td>
<td>2,140</td>
<td>2,140</td>
<td>0</td>
<td>2,140</td>
</tr>
<tr>
<td></td>
<td>Navy</td>
<td>Mayport</td>
<td>Base Exchange Facilities</td>
<td>16,420</td>
<td>16,420</td>
<td>16,420</td>
<td>0</td>
<td>16,420</td>
</tr>
<tr>
<td>Florida</td>
<td>Navy</td>
<td>Key West</td>
<td>Consolidated Fire Station</td>
<td>3,700</td>
<td>3,700</td>
<td>3,700</td>
<td>0</td>
<td>3,700</td>
</tr>
<tr>
<td>Florida</td>
<td>Air Force</td>
<td>Cape Canaveral AFS</td>
<td>Replace Fire/Rescue Station</td>
<td>3,800</td>
<td>3,800</td>
<td>3,800</td>
<td>0</td>
<td>3,800</td>
</tr>
<tr>
<td>Florida</td>
<td>Air Force</td>
<td>Eglin AFB</td>
<td>Command And Control (C2) Test Operations Ctr</td>
<td>11,400</td>
<td>11,400</td>
<td>11,400</td>
<td>0</td>
<td>11,400</td>
</tr>
<tr>
<td>Florida</td>
<td>Air Force</td>
<td>Hurlburt Field</td>
<td>Consolidated Communication Fac</td>
<td>4,000</td>
<td>4,000</td>
<td>4,000</td>
<td>0</td>
<td>4,000</td>
</tr>
<tr>
<td>Florida</td>
<td>Air Force</td>
<td>Hurlburt Field</td>
<td>Dining Facilities</td>
<td>6,400</td>
<td>6,400</td>
<td>6,400</td>
<td>0</td>
<td>6,400</td>
</tr>
<tr>
<td>Florida</td>
<td>Air Force</td>
<td>MacDill AFB</td>
<td>Mission Planning Center (PM)</td>
<td>10,000</td>
<td>10,000</td>
<td>10,000</td>
<td>0</td>
<td>10,000</td>
</tr>
<tr>
<td>Florida</td>
<td>Air Force</td>
<td>Tyndall AFB</td>
<td>F-22 Aircraft Maintenance Hangar</td>
<td>3,910</td>
<td>3,910</td>
<td>3,910</td>
<td>0</td>
<td>3,910</td>
</tr>
<tr>
<td>Florida</td>
<td>Air Force</td>
<td>Tyndall AFB</td>
<td>F-22 Squall Ops/AFMS and Hangar</td>
<td>12,000</td>
<td>12,000</td>
<td>12,000</td>
<td>0</td>
<td>12,000</td>
</tr>
<tr>
<td>Florida</td>
<td>TMA</td>
<td>Hurlburt Field</td>
<td>Medical Clinic Additonal/Alteration</td>
<td>8,800</td>
<td>8,800</td>
<td>8,800</td>
<td>0</td>
<td>8,800</td>
</tr>
<tr>
<td>Florida</td>
<td>TMA</td>
<td>Mayport</td>
<td>Medical Dental Clinic Replacement</td>
<td>24,000</td>
<td>24,000</td>
<td>24,000</td>
<td>0</td>
<td>24,000</td>
</tr>
<tr>
<td>Florida</td>
<td>56th CMI</td>
<td>Hurlburt Field</td>
<td>SCF C2 Training Device Support Facility</td>
<td>10,200</td>
<td>10,200</td>
<td>10,200</td>
<td>0</td>
<td>10,200</td>
</tr>
<tr>
<td>Florida</td>
<td>56th CMI</td>
<td>Hurlburt Field</td>
<td>SCF Medical Supply Package Facility</td>
<td>3,200</td>
<td>3,200</td>
<td>3,200</td>
<td>0</td>
<td>3,200</td>
</tr>
<tr>
<td>Florida</td>
<td>56th CMI</td>
<td>MacDill AFB</td>
<td>SCF Public Access Building</td>
<td>2,500</td>
<td>2,500</td>
<td>2,500</td>
<td>0</td>
<td>2,500</td>
</tr>
<tr>
<td>Florida</td>
<td>56th CMI</td>
<td>MacDill AFB</td>
<td>SCF Reserve Command And Control Fac</td>
<td>9,500</td>
<td>9,500</td>
<td>9,500</td>
<td>0</td>
<td>9,500</td>
</tr>
<tr>
<td>Florida</td>
<td>Air National Guard</td>
<td>Camp Blanding</td>
<td>Replace Weather Training Complex</td>
<td>6,900</td>
<td>6,900</td>
<td>6,900</td>
<td>0</td>
<td>6,900</td>
</tr>
<tr>
<td>Florida</td>
<td>Army Reserve</td>
<td>St Petersburg</td>
<td>Ammunition Reserve Center (PM II)</td>
<td>34,056</td>
<td>34,056</td>
<td>34,056</td>
<td>0</td>
<td>34,056</td>
</tr>
<tr>
<td>Florida</td>
<td>Navy Reserve</td>
<td>Jacksonville</td>
<td>Maintenance Hangar Overhead Space</td>
<td>3,741</td>
<td>3,741</td>
<td>3,741</td>
<td>0</td>
<td>3,741</td>
</tr>
<tr>
<td>Florida</td>
<td>Navy Reserve</td>
<td>Jacksonville</td>
<td>Real Estate Support Site (Elbow Island)</td>
<td>2,350</td>
<td>2,350</td>
<td>2,350</td>
<td>0</td>
<td>2,350</td>
</tr>
<tr>
<td>Florida</td>
<td>Air Force Reserve</td>
<td>Jacksonville</td>
<td>Marine Corps Reserve Center</td>
<td>8,450</td>
<td>8,450</td>
<td>8,450</td>
<td>0</td>
<td>8,450</td>
</tr>
<tr>
<td>Florida</td>
<td>Air Force Reserve</td>
<td>Homestead AFB</td>
<td>Communications Fac</td>
<td>12,000</td>
<td>12,000</td>
<td>12,000</td>
<td>0</td>
<td>12,000</td>
</tr>
<tr>
<td>Georgia</td>
<td>Army</td>
<td>Fort Benning</td>
<td>Passenger Processing Fac</td>
<td>12,000</td>
<td>12,000</td>
<td>12,000</td>
<td>0</td>
<td>12,000</td>
</tr>
<tr>
<td>Georgia</td>
<td>Army</td>
<td>Fort Benning</td>
<td>Runway Extension</td>
<td>6,900</td>
<td>6,900</td>
<td>6,900</td>
<td>0</td>
<td>6,900</td>
</tr>
<tr>
<td>Georgia</td>
<td>Army</td>
<td>Fort McPherson</td>
<td>Criminal Investigation Forensic Lab</td>
<td>29,000</td>
<td>29,000</td>
<td>29,000</td>
<td>0</td>
<td>29,000</td>
</tr>
<tr>
<td>Georgia</td>
<td>Army</td>
<td>Fort McPherson</td>
<td>Explosive Ordinance Det/Up Bldg</td>
<td>5,600</td>
<td>5,600</td>
<td>5,600</td>
<td>0</td>
<td>5,600</td>
</tr>
<tr>
<td>Georgia</td>
<td>Army</td>
<td>Fort Gordon</td>
<td>Information Systems Fac</td>
<td>11,000</td>
<td>11,000</td>
<td>11,000</td>
<td>0</td>
<td>11,000</td>
</tr>
<tr>
<td>Georgia</td>
<td>Army</td>
<td>Fort Gordon</td>
<td>Vehicle Maintenance Fac</td>
<td>23,000</td>
<td>23,000</td>
<td>23,000</td>
<td>0</td>
<td>23,000</td>
</tr>
</tbody>
</table>
### Fiscal Year 2002 Authorization of Appropriations for Military Construction

(Dollars in Thousands)

<table>
<thead>
<tr>
<th>Location</th>
<th>Service/Agency/Program</th>
<th>Installation</th>
<th>Project Title</th>
<th>FY2002 Request</th>
<th>House Authorized</th>
<th>Senate Authorized</th>
<th>Conference Change</th>
<th>Conference Agreement</th>
</tr>
</thead>
<tbody>
<tr>
<td>Georgia Army</td>
<td>Fort Stewart/Hunter AAF</td>
<td>Education Center</td>
<td></td>
<td>16,000</td>
<td>16,000</td>
<td>16,000</td>
<td>16,000</td>
<td>16,000</td>
</tr>
<tr>
<td>Georgia Army</td>
<td>Fort Stewart/Hunter AAF</td>
<td>Soldier Service Centers</td>
<td></td>
<td>10,200</td>
<td>10,200</td>
<td>10,200</td>
<td>10,200</td>
<td>10,200</td>
</tr>
<tr>
<td>Georgia Army</td>
<td>Fort Stewart/Hunter AAF</td>
<td>Vehicle Maintenance Fac</td>
<td></td>
<td>13,600</td>
<td>13,600</td>
<td>13,600</td>
<td>13,600</td>
<td>13,600</td>
</tr>
<tr>
<td>Georgia Air Force</td>
<td>Robins AFB</td>
<td>Fire Training Facility</td>
<td></td>
<td>3,800</td>
<td>3,800</td>
<td>3,800</td>
<td>3,800</td>
<td>3,800</td>
</tr>
<tr>
<td>Georgia Air Force</td>
<td>Robins AFB</td>
<td>Large Item Aircraft Support Equipment, Paint Fac</td>
<td>3,050</td>
<td>3,050</td>
<td>3,050</td>
<td>3,050</td>
<td>3,050</td>
<td></td>
</tr>
<tr>
<td>Georgia Air Force</td>
<td>Robins AFB</td>
<td>Replace KC-135 Squadron Operations</td>
<td>7,800</td>
<td>7,800</td>
<td>7,800</td>
<td>7,800</td>
<td>7,800</td>
<td></td>
</tr>
<tr>
<td>Georgia Air Force</td>
<td>Moody AFB</td>
<td>Physical Fitness Center</td>
<td></td>
<td>-</td>
<td>8,600</td>
<td>8,600</td>
<td>8,600</td>
<td>8,600</td>
</tr>
<tr>
<td>Georgia Air Force</td>
<td>Moody AFB</td>
<td>C-130 Maintenance Hangar</td>
<td></td>
<td>-</td>
<td>5,100</td>
<td>5,100</td>
<td>5,100</td>
<td>5,100</td>
</tr>
<tr>
<td>Georgia 500mil</td>
<td>Fort Benning</td>
<td>SOF Tactical Equipment Complex</td>
<td></td>
<td>5,100</td>
<td>5,100</td>
<td>5,100</td>
<td>5,100</td>
<td>5,100</td>
</tr>
<tr>
<td>Georgia NSA</td>
<td>Cheatham Annex</td>
<td>Consolidated Troop Medical Clinic</td>
<td>11,000</td>
<td>11,000</td>
<td>11,000</td>
<td>11,000</td>
<td>11,000</td>
<td></td>
</tr>
<tr>
<td>Georgia Air Force</td>
<td>Robins AFB</td>
<td>Medical/Thermal Clinic Replacement</td>
<td>5,800</td>
<td>5,800</td>
<td>5,800</td>
<td>5,800</td>
<td>5,800</td>
<td></td>
</tr>
<tr>
<td>Georgia Air Force</td>
<td>Robins AFB</td>
<td>Replace Ups And Training Fac</td>
<td>6,100</td>
<td>6,100</td>
<td>6,100</td>
<td>6,100</td>
<td>6,100</td>
<td></td>
</tr>
<tr>
<td>Georgia Air Force</td>
<td>Robins AFB</td>
<td>Add Alter AFRIC HQ (Ph II)</td>
<td>2,000</td>
<td>2,000</td>
<td>2,000</td>
<td>2,000</td>
<td>2,000</td>
<td></td>
</tr>
<tr>
<td>Hawaii Army</td>
<td>PEARL Harbor</td>
<td>Naval Operating Building</td>
<td></td>
<td>11,800</td>
<td>11,800</td>
<td>11,800</td>
<td>11,800</td>
<td>11,800</td>
</tr>
<tr>
<td>Hawaii Army</td>
<td>Pohakuloa</td>
<td>Combined Arms Range Control Building</td>
<td>5,100</td>
<td>5,100</td>
<td>5,100</td>
<td>5,100</td>
<td>5,100</td>
<td></td>
</tr>
<tr>
<td>Hawaii Army</td>
<td>Pohakuloa</td>
<td>Pohakuloa Field Agriculture Administration</td>
<td>1,500</td>
<td>1,500</td>
<td>1,500</td>
<td>1,500</td>
<td>1,500</td>
<td></td>
</tr>
<tr>
<td>Hawaii Army</td>
<td>Kahuku Windsock Site</td>
<td>Kahuku Windsock Site</td>
<td></td>
<td>-</td>
<td>1,350</td>
<td>1,350</td>
<td>1,350</td>
<td>1,350</td>
</tr>
<tr>
<td>Hawaii Army</td>
<td>Schofield Barracks</td>
<td>Barracks Complex - Wilcox Street (Ph I C)</td>
<td>23,000</td>
<td>23,000</td>
<td>23,000</td>
<td>23,000</td>
<td>23,000</td>
<td></td>
</tr>
<tr>
<td>Hawaii Army</td>
<td>Wheeler AAF</td>
<td>Barracks Complex - Aviation (Ph VI A)</td>
<td>50,000</td>
<td>50,000</td>
<td>50,000</td>
<td>50,000</td>
<td>50,000</td>
<td></td>
</tr>
<tr>
<td>Hawaii Navy</td>
<td>Camp Smith</td>
<td>Camp Smith</td>
<td></td>
<td>37,500</td>
<td>37,500</td>
<td>37,500</td>
<td>37,500</td>
<td>37,500</td>
</tr>
<tr>
<td>Hawaii Navy</td>
<td>NW Region</td>
<td>BEQ</td>
<td></td>
<td>24,920</td>
<td>24,920</td>
<td>24,920</td>
<td>24,920</td>
<td>24,920</td>
</tr>
<tr>
<td>Hawaii Navy</td>
<td>HAVNAG Lihue</td>
<td>HAVNAG Lihue</td>
<td></td>
<td>4,000</td>
<td>4,000</td>
<td>4,000</td>
<td>4,000</td>
<td>4,000</td>
</tr>
<tr>
<td>Hawaii Navy</td>
<td>NS Pearl Harbor</td>
<td>NS Pearl Harbor</td>
<td></td>
<td>17,350</td>
<td>17,350</td>
<td>17,350</td>
<td>17,350</td>
<td>17,350</td>
</tr>
<tr>
<td>Hawaii Navy</td>
<td>NS Pearl Harbor</td>
<td>NS Pearl Harbor</td>
<td></td>
<td>21,300</td>
<td>21,300</td>
<td>21,300</td>
<td>21,300</td>
<td>21,300</td>
</tr>
<tr>
<td>Hawaii Navy</td>
<td>NS Pearl Harbor</td>
<td>NS Pearl Harbor replacement facility</td>
<td>14,100</td>
<td>14,100</td>
<td>14,100</td>
<td>14,100</td>
<td>14,100</td>
<td></td>
</tr>
<tr>
<td>Hawaii Navy</td>
<td>NS Pearl Harbor</td>
<td>NS Pearl Harbor</td>
<td></td>
<td>7,900</td>
<td>7,900</td>
<td>7,900</td>
<td>7,900</td>
<td>7,900</td>
</tr>
<tr>
<td>Hawaii Navy</td>
<td>NS Pearl Harbor</td>
<td>NS Pearl Harbor</td>
<td></td>
<td>12,100</td>
<td>12,100</td>
<td>12,100</td>
<td>12,100</td>
<td>12,100</td>
</tr>
<tr>
<td>Hawaii Navy</td>
<td>NS Pearl Harbor</td>
<td>NS Pearl Harbor replacement facility</td>
<td>29,200</td>
<td>29,200</td>
<td>29,200</td>
<td>29,200</td>
<td>29,200</td>
<td></td>
</tr>
<tr>
<td>Hawaii Navy</td>
<td>NS Pearl Harbor</td>
<td>NS Pearl Harbor replacement facility</td>
<td>11,600</td>
<td>11,600</td>
<td>11,600</td>
<td>11,600</td>
<td>11,600</td>
<td></td>
</tr>
<tr>
<td>Hawaii Navy</td>
<td>NS Pearl Harbor</td>
<td>NS Pearl Harbor replacement facility</td>
<td>8,117</td>
<td>8,117</td>
<td>8,117</td>
<td>8,117</td>
<td>8,117</td>
<td></td>
</tr>
<tr>
<td>Hawaii Navy</td>
<td>NS Pearl Harbor</td>
<td>NS Pearl Harbor replacement facility</td>
<td>41,130</td>
<td>41,130</td>
<td>41,130</td>
<td>41,130</td>
<td>41,130</td>
<td></td>
</tr>
<tr>
<td>Hawaii Navy</td>
<td>NS Pearl Harbor</td>
<td>NS Pearl Harbor replacement facility</td>
<td>41,130</td>
<td>41,130</td>
<td>41,130</td>
<td>41,130</td>
<td>41,130</td>
<td></td>
</tr>
<tr>
<td>Hawaii Navy</td>
<td>NS Pearl Harbor</td>
<td>NS Pearl Harbor replacement facility</td>
<td>4,126</td>
<td>4,126</td>
<td>4,126</td>
<td>4,126</td>
<td>4,126</td>
<td></td>
</tr>
</tbody>
</table>


### Fiscal Year 2002 Authorization of Appropriations for Military Construction

<table>
<thead>
<tr>
<th>Location</th>
<th>Service/Agency/Program</th>
<th>Installation</th>
<th>Project Title</th>
<th>FY 2002 House</th>
<th>Senate</th>
<th>Conference Change</th>
<th>Conference Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Indiana</td>
<td>Army</td>
<td>Newport AFB</td>
<td>Ammunition Demilitarization Fac (Ph IV)</td>
<td>66,000</td>
<td>-</td>
<td>-</td>
<td>(66,000)</td>
</tr>
<tr>
<td>Indiana</td>
<td>Navy</td>
<td>NSWC Crane</td>
<td>Special Warfare Munitions Engineering Fac</td>
<td>5,820</td>
<td>5,820</td>
<td>5,820</td>
<td>5,820</td>
</tr>
<tr>
<td>Indiana</td>
<td>Navy</td>
<td>NSWC Crane</td>
<td>Microwave Detectors Engineering Fac</td>
<td>9,110</td>
<td>9,110</td>
<td>9,110</td>
<td>9,110</td>
</tr>
<tr>
<td>Indiana</td>
<td>Army National Guard</td>
<td>Camp Atterbury</td>
<td>Ammunition Demilitarization Fac (Ph IV)</td>
<td>66,000</td>
<td>66,000</td>
<td>66,000</td>
<td>66,000</td>
</tr>
<tr>
<td>Indiana</td>
<td>Air National Guard</td>
<td>Fort Wayne S'AP</td>
<td>Parking Apron</td>
<td>9,500</td>
<td>9,500</td>
<td>9,500</td>
<td>9,500</td>
</tr>
<tr>
<td>Indiana</td>
<td>Air Force Reserve</td>
<td>Grissom ARB</td>
<td>Replace Service Complex (Ph III)</td>
<td>11,200</td>
<td>11,200</td>
<td>11,200</td>
<td>11,200</td>
</tr>
<tr>
<td>Iowa</td>
<td>Army National Guard</td>
<td>Enid, Okla.</td>
<td>Readiness Center</td>
<td>2,713</td>
<td>2,713</td>
<td>2,713</td>
<td>2,713</td>
</tr>
<tr>
<td>Iowa</td>
<td>Air National Guard</td>
<td>Sioux City</td>
<td>KC-135 Aircraft Pak Ageny Hydrate Refueling Sys</td>
<td>11,400</td>
<td>11,400</td>
<td>11,400</td>
<td>11,400</td>
</tr>
<tr>
<td>Iowa</td>
<td>Air National Guard</td>
<td>Sioux City</td>
<td>KC-135 Conneet Fuel Cell CenISON Control</td>
<td>8,300</td>
<td>8,300</td>
<td>8,300</td>
<td>8,300</td>
</tr>
<tr>
<td>Iowa</td>
<td>Air National Guard</td>
<td>Sioux City</td>
<td>Sioux Upgrade Jan Airfield Runway</td>
<td>4,400</td>
<td>4,400</td>
<td>4,400</td>
<td>4,400</td>
</tr>
<tr>
<td>Kansas</td>
<td>Army</td>
<td>Fort Riley</td>
<td>Child Development Centers</td>
<td>6,800</td>
<td>6,800</td>
<td>6,800</td>
<td>6,800</td>
</tr>
<tr>
<td>Kansas</td>
<td>Army</td>
<td>Fort Riley</td>
<td>Modified Range Fire Range</td>
<td>4,100</td>
<td>4,100</td>
<td>4,100</td>
<td>4,100</td>
</tr>
<tr>
<td>Kansas</td>
<td>Army National Guard</td>
<td>Fort Riley</td>
<td>Organization Maintenance Shop</td>
<td>6,45</td>
<td>6,45</td>
<td>6,45</td>
<td>6,45</td>
</tr>
<tr>
<td>Kansas</td>
<td>Air Force</td>
<td>McConnell AFB</td>
<td>Health and Wellness Center</td>
<td>5,100</td>
<td>5,100</td>
<td>5,100</td>
<td>5,100</td>
</tr>
<tr>
<td>Kentucky</td>
<td>Army</td>
<td>Blue Grass AD</td>
<td>Ammunition Demilitarization Fac (Ph III)</td>
<td>3,000</td>
<td>-</td>
<td>(3,000)</td>
<td>-</td>
</tr>
<tr>
<td>Kentucky</td>
<td>Army</td>
<td>Fort Campbell</td>
<td>Baracks Complex - Market Garden Rd (Ph III)</td>
<td>47,000</td>
<td>47,000</td>
<td>47,000</td>
<td>47,000</td>
</tr>
<tr>
<td>Kentucky</td>
<td>Army</td>
<td>Fort Campbell</td>
<td>Employment Staging Complex</td>
<td>3,300</td>
<td>3,300</td>
<td>3,300</td>
<td>3,300</td>
</tr>
<tr>
<td>Kentucky</td>
<td>Army</td>
<td>Fort Campbell</td>
<td>Employment Staging Complex/Adv</td>
<td>3,300</td>
<td>3,300</td>
<td>3,300</td>
<td>3,300</td>
</tr>
<tr>
<td>Kentucky</td>
<td>Army</td>
<td>Fort Campbell</td>
<td>Employment Staging Complex/Mail</td>
<td>3,300</td>
<td>3,300</td>
<td>3,300</td>
<td>3,300</td>
</tr>
<tr>
<td>Kentucky</td>
<td>Army</td>
<td>Fort Campbell</td>
<td>Electrical Substation</td>
<td>10,000</td>
<td>10,000</td>
<td>10,000</td>
<td>10,000</td>
</tr>
<tr>
<td>Kentucky</td>
<td>Army</td>
<td>Fort Campbell</td>
<td>Expand Keyhole Headland Area</td>
<td>10,600</td>
<td>10,600</td>
<td>10,600</td>
<td>10,600</td>
</tr>
<tr>
<td>Kentucky</td>
<td>Army</td>
<td>Fort Campbell</td>
<td>Passenger Processing Fc</td>
<td>11,400</td>
<td>11,400</td>
<td>11,400</td>
<td>11,400</td>
</tr>
<tr>
<td>Kentucky</td>
<td>Army</td>
<td>Fort Knox</td>
<td>Wlfson Multi Purpose Digital Training Range (Ph IV)</td>
<td>11,600</td>
<td>11,600</td>
<td>11,600</td>
<td>11,600</td>
</tr>
<tr>
<td>Kentucky</td>
<td>Army Reserve</td>
<td>Fort Knox</td>
<td>-</td>
<td>14,816</td>
<td>14,816</td>
<td>14,816</td>
<td>14,816</td>
</tr>
<tr>
<td>Kentucky</td>
<td>Air Force</td>
<td>Blue Grass AD</td>
<td>Ammunition Demilitarization Fac (Ph III)</td>
<td>-</td>
<td>3,000</td>
<td>3,000</td>
<td>3,000</td>
</tr>
<tr>
<td>Louisiana</td>
<td>Army</td>
<td>Fort Polk</td>
<td>Education Center</td>
<td>10,800</td>
<td>10,800</td>
<td>10,800</td>
<td>10,800</td>
</tr>
<tr>
<td>Louisiana</td>
<td>Army</td>
<td>Fort Polk</td>
<td>Readiness And Operations Fac</td>
<td>10,400</td>
<td>10,400</td>
<td>10,400</td>
<td>10,400</td>
</tr>
<tr>
<td>Louisiana</td>
<td>Air Force</td>
<td>Backdale</td>
<td>Control Tower</td>
<td>-</td>
<td>5,000</td>
<td>5,000</td>
<td>5,000</td>
</tr>
<tr>
<td>Louisiana</td>
<td>Army National Guard</td>
<td>Camp Beauregard</td>
<td>Readiness Center</td>
<td>3,192</td>
<td>3,192</td>
<td>3,192</td>
<td>3,192</td>
</tr>
<tr>
<td>Louisiana</td>
<td>Army National Guard</td>
<td>Camp Beauregard</td>
<td>Readiness Center</td>
<td>3,192</td>
<td>3,192</td>
<td>3,192</td>
<td>3,192</td>
</tr>
<tr>
<td>Louisiana</td>
<td>Air National Guard</td>
<td>JBH New Orleans</td>
<td>Readiness Center</td>
<td>3,677</td>
<td>3,677</td>
<td>3,677</td>
<td>3,677</td>
</tr>
<tr>
<td>Louisiana</td>
<td>Navy Reserve</td>
<td>JBH New Orleans</td>
<td>Readiness Center</td>
<td>3,677</td>
<td>3,677</td>
<td>3,677</td>
<td>3,677</td>
</tr>
<tr>
<td>Louisiana</td>
<td>Navy Reserve</td>
<td>MCAS Lakehurst</td>
<td>Marine Reserve Training Center</td>
<td>5,700</td>
<td>5,700</td>
<td>5,700</td>
<td>5,700</td>
</tr>
<tr>
<td>Louisiana</td>
<td>Navy Reserve</td>
<td>NASA JBH New Orleans</td>
<td>GSE Complex</td>
<td>2,270</td>
<td>2,270</td>
<td>2,270</td>
<td>2,270</td>
</tr>
<tr>
<td>Louisiana</td>
<td>Navy Reserve</td>
<td>NASA JBH New Orleans</td>
<td>Refuel Main Fac</td>
<td>650</td>
<td>650</td>
<td>650</td>
<td>650</td>
</tr>
</tbody>
</table>
### Fiscal Year 2002 Authorization of Appropriations for Military Construction

<table>
<thead>
<tr>
<th>State</th>
<th>Service/Agency/Program</th>
<th>Installation</th>
<th>Project Title</th>
<th>FY2002 Request</th>
<th>House Authorized</th>
<th>Senate Authorized</th>
<th>Conference Change</th>
<th>Conference Appropriations</th>
</tr>
</thead>
<tbody>
<tr>
<td>Louisiana</td>
<td>Navy Reserve</td>
<td>NAS JRB New Orleans</td>
<td>Replace Bridge</td>
<td>1,300</td>
<td>1,300</td>
<td>1,300</td>
<td>10,000</td>
<td>10,000</td>
</tr>
<tr>
<td>Louisiana</td>
<td>Navy Reserve</td>
<td>NAS JRB New Orleans</td>
<td>Armed Forces Reserve Center (FA RV)</td>
<td>10,000</td>
<td>10,000</td>
<td>10,000</td>
<td>10,000</td>
<td>10,000</td>
</tr>
<tr>
<td>Maine</td>
<td>Navy</td>
<td>NAS Brunswick</td>
<td>Bachelor Enlisted Quarters</td>
<td>22,610</td>
<td>22,610</td>
<td>22,610</td>
<td>22,610</td>
<td>22,610</td>
</tr>
<tr>
<td>Maine</td>
<td>Navy</td>
<td>NAS Brunswick</td>
<td>Aircraft Maintenance Hangar</td>
<td>41,665</td>
<td>41,665</td>
<td>41,665</td>
<td>41,665</td>
<td>41,665</td>
</tr>
<tr>
<td>Maine</td>
<td>Navy</td>
<td>NAS Brunswick</td>
<td>F-1 Support Fac</td>
<td>3,100</td>
<td>3,100</td>
<td>3,100</td>
<td>3,100</td>
<td>3,100</td>
</tr>
<tr>
<td>Maine</td>
<td>Navy</td>
<td>NSY Portsmouth</td>
<td>Bachelor Enlisted Quarters</td>
<td></td>
<td>14,610</td>
<td>14,610</td>
<td>14,610</td>
<td>14,610</td>
</tr>
<tr>
<td>Maine</td>
<td>Army National Guard</td>
<td>Bangor SAP</td>
<td>Army Aviation Support Fac (FA IV)</td>
<td>11,618</td>
<td>11,618</td>
<td>11,618</td>
<td>11,618</td>
<td>11,618</td>
</tr>
<tr>
<td>Maryland</td>
<td>Army</td>
<td>Aberdeen Proving Ground</td>
<td>Ammunition Surveillance Fac (FA IV)</td>
<td>66,500</td>
<td>66,500</td>
<td>66,500</td>
<td>(66,500)</td>
<td>(66,500)</td>
</tr>
<tr>
<td>Maryland</td>
<td>Army</td>
<td>Aberdeen Proving Ground</td>
<td>Climate Test Fac</td>
<td>5,100</td>
<td>5,100</td>
<td>5,100</td>
<td>5,100</td>
<td>5,100</td>
</tr>
<tr>
<td>Maryland</td>
<td>Army</td>
<td>Aberdeen Proving Ground</td>
<td>Chemistry Laboratory (Edgewood)</td>
<td>9,000</td>
<td>9,000</td>
<td>9,000</td>
<td>9,000</td>
<td>9,000</td>
</tr>
<tr>
<td>Maryland</td>
<td>Army</td>
<td>Aberdeen Proving Ground</td>
<td>Child Development Centers</td>
<td>44,000</td>
<td>44,000</td>
<td>44,000</td>
<td>44,000</td>
<td>44,000</td>
</tr>
<tr>
<td>Maryland</td>
<td>Army</td>
<td>Fort Meade</td>
<td>Fort Meade Operations Fac (15th Signal)</td>
<td>3,800</td>
<td>3,800</td>
<td>3,800</td>
<td>3,800</td>
<td>3,800</td>
</tr>
<tr>
<td>Maryland</td>
<td>Navy</td>
<td>NAWC Patuxent River</td>
<td>Advanced Systems Integration Fac (FA VII)</td>
<td>10,730</td>
<td>10,730</td>
<td>10,730</td>
<td>10,730</td>
<td>10,730</td>
</tr>
<tr>
<td>Maryland</td>
<td>Navy</td>
<td>NAWC Patuxent River</td>
<td>Range Operations Support Fac</td>
<td>2,260</td>
<td>2,260</td>
<td>2,260</td>
<td>2,260</td>
<td>2,260</td>
</tr>
<tr>
<td>Maryland</td>
<td>Navy</td>
<td>NAWC St. Inigoes</td>
<td>Aircraft Requirements Integration Fac</td>
<td>5,100</td>
<td>5,100</td>
<td>5,100</td>
<td>5,100</td>
<td>5,100</td>
</tr>
<tr>
<td>Maryland</td>
<td>Navy</td>
<td>NEDC/NSU Indian Head</td>
<td>Joint Service ESF Equip Mgmt E4</td>
<td>1,250</td>
<td>1,250</td>
<td>1,250</td>
<td>1,250</td>
<td>1,250</td>
</tr>
<tr>
<td>Maryland</td>
<td>Air Force</td>
<td>Andrews AFB</td>
<td>Consolidate Squadron Operations Fac</td>
<td>10,070</td>
<td>10,070</td>
<td>10,070</td>
<td>10,070</td>
<td>10,070</td>
</tr>
<tr>
<td>Maryland</td>
<td>Air Force</td>
<td>Andrews AFB</td>
<td>Repair East Runway</td>
<td>7,600</td>
<td>7,600</td>
<td>7,600</td>
<td>7,600</td>
<td>7,600</td>
</tr>
<tr>
<td>Maryland</td>
<td>Air Force</td>
<td>Andrews AFB</td>
<td>Upgrade F-14 Training Fac</td>
<td>1,750</td>
<td>1,750</td>
<td>1,750</td>
<td>1,750</td>
<td>1,750</td>
</tr>
<tr>
<td>Maryland</td>
<td>Aeronautical</td>
<td>Aberdeen Proving Ground</td>
<td>Ammunition Demolization Fac (FA IV)</td>
<td>66,500</td>
<td>66,500</td>
<td>66,500</td>
<td>66,500</td>
<td>66,500</td>
</tr>
<tr>
<td>Maryland</td>
<td>TMA</td>
<td>TMA</td>
<td>SOF Training Fac</td>
<td>3,200</td>
<td>3,200</td>
<td>3,200</td>
<td>3,200</td>
<td>3,200</td>
</tr>
<tr>
<td>Maryland</td>
<td>TMA</td>
<td>Andrews AFB</td>
<td>Medical Clinic Addition/Alteration</td>
<td>7,300</td>
<td>7,300</td>
<td>7,300</td>
<td>7,300</td>
<td>7,300</td>
</tr>
<tr>
<td>Maryland</td>
<td>Army National Guard</td>
<td>Salisbury</td>
<td>NAF Wach Near Dental Clinic Relocation</td>
<td>2,314</td>
<td>2,314</td>
<td>2,314</td>
<td>2,314</td>
<td>2,314</td>
</tr>
<tr>
<td>Massachusetts</td>
<td>Air Force</td>
<td>Hanscom AFB</td>
<td>Organizational Maintenance Shop A/B</td>
<td>2,314</td>
<td>2,314</td>
<td>2,314</td>
<td>2,314</td>
<td>2,314</td>
</tr>
<tr>
<td>Massachusetts</td>
<td>Army National Guard</td>
<td>Framingham</td>
<td>Reserve Acquisition Management Fac (FA III)</td>
<td>9,190</td>
<td>9,190</td>
<td>9,190</td>
<td>9,190</td>
<td>9,190</td>
</tr>
<tr>
<td>Massachusetts</td>
<td>Army National Guard</td>
<td>Barnes Municipal A/P</td>
<td>Organizational Maintenance Shop (FA IV)</td>
<td>8,347</td>
<td>8,347</td>
<td>8,347</td>
<td>8,347</td>
<td>8,347</td>
</tr>
<tr>
<td>Michigan</td>
<td>Army National Guard</td>
<td>Fort Lewis</td>
<td>U.S. Army Engineer Task Force</td>
<td>5,200</td>
<td>5,200</td>
<td>5,200</td>
<td>5,200</td>
<td>5,200</td>
</tr>
<tr>
<td>Michigan</td>
<td>Army National Guard</td>
<td>Augusta</td>
<td>Combined Support Maintenance Shop (FA IV)</td>
<td>5,200</td>
<td>5,200</td>
<td>5,200</td>
<td>5,200</td>
<td>5,200</td>
</tr>
<tr>
<td>Michigan</td>
<td>Army National Guard</td>
<td>Camp Grayslake</td>
<td>TASS Instruction/Administrative Barracks/Mess Hall</td>
<td>11,118</td>
<td>11,118</td>
<td>11,118</td>
<td>11,118</td>
<td>11,118</td>
</tr>
<tr>
<td>Michigan</td>
<td>Air National Guard</td>
<td>Tidewater NAV/US</td>
<td>Headquarters Building</td>
<td>5,809</td>
<td>5,809</td>
<td>5,809</td>
<td>5,809</td>
<td>5,809</td>
</tr>
<tr>
<td>Michigan</td>
<td>Air National Guard</td>
<td>Camp pendleton</td>
<td>R&amp;I Clear Zone Land Acquisition</td>
<td>2,000</td>
<td>2,000</td>
<td>2,000</td>
<td>2,000</td>
<td>2,000</td>
</tr>
<tr>
<td>Michigan</td>
<td>Air National Guard</td>
<td>Munson/Leonard Chopper</td>
<td>Munitions Munitions Storage Complex</td>
<td>9,500</td>
<td>9,500</td>
<td>9,500</td>
<td>9,500</td>
<td>9,500</td>
</tr>
<tr>
<td>Michigan</td>
<td>Navy Reserve</td>
<td>Keesler AFB/Battle Creek</td>
<td>Auto Vehicle Maintenance Fac</td>
<td>1,490</td>
<td>1,490</td>
<td>1,490</td>
<td>1,490</td>
<td>1,490</td>
</tr>
<tr>
<td>Minnesota</td>
<td>Air National Guard</td>
<td>MCAS Camp Pendleton</td>
<td>Composite Aircraft Main Complex</td>
<td>10,000</td>
<td>10,000</td>
<td>10,000</td>
<td>10,000</td>
<td>10,000</td>
</tr>
</tbody>
</table>
### Fiscal Year 2002 Authorization of Appropriations for Military Construction

(Dollars in thousands)

<table>
<thead>
<tr>
<th>Location</th>
<th>Service/Agency/Program</th>
<th>Installation</th>
<th>Project Title</th>
<th>FY02 Request</th>
<th>House</th>
<th>Senate</th>
<th>Conference Change</th>
<th>Conference Agreement</th>
</tr>
</thead>
<tbody>
<tr>
<td>Minnesota</td>
<td>Navy Reserve</td>
<td>NHC Duluth</td>
<td>Reserve Center Addison</td>
<td>2,980</td>
<td>2,980</td>
<td>2,980</td>
<td>8,400</td>
<td>8,400</td>
</tr>
<tr>
<td>Minnesota</td>
<td>Air Force Reserve</td>
<td>Minneapolis St Paul</td>
<td>Consolidated Lodging Fac (Ph II)</td>
<td>11,700</td>
<td>11,700</td>
<td>11,700</td>
<td>4,680</td>
<td>4,680</td>
</tr>
<tr>
<td>Mississippi</td>
<td>Navy</td>
<td>NC BC Gulfport</td>
<td>DEU Replacement</td>
<td>14,300</td>
<td>14,300</td>
<td>14,300</td>
<td>11,760</td>
<td>11,760</td>
</tr>
<tr>
<td>Mississippi</td>
<td>Navy</td>
<td>NC BC Gulfport</td>
<td>Mobilization Ops Fac</td>
<td>7,360</td>
<td>7,360</td>
<td>7,360</td>
<td>1,370</td>
<td>1,370</td>
</tr>
<tr>
<td>Mississippi</td>
<td>Navy</td>
<td>NAS Patrasport</td>
<td>Fleet Operations Center</td>
<td>7,000</td>
<td>7,000</td>
<td>7,000</td>
<td>4,680</td>
<td>4,680</td>
</tr>
<tr>
<td>Mississippi</td>
<td>Air Force</td>
<td>Keesler AFB</td>
<td>Replace Technical Training Fac (Ph II a)</td>
<td>28,600</td>
<td>28,600</td>
<td>28,600</td>
<td>28,600</td>
<td>28,600</td>
</tr>
<tr>
<td>Mississippi</td>
<td>Air Force</td>
<td>Columbus AFB</td>
<td>Raven</td>
<td>5,000</td>
<td>5,000</td>
<td>5,000</td>
<td>5,000</td>
<td>5,000</td>
</tr>
<tr>
<td>Mississippi</td>
<td>Army National Guard</td>
<td>Camp Shelby</td>
<td>Military Education Centers (Ph II)</td>
<td>11,444</td>
<td>11,444</td>
<td>11,444</td>
<td>11,444</td>
<td>11,444</td>
</tr>
<tr>
<td>Mississippi</td>
<td>Army National Guard</td>
<td>Gulfport</td>
<td>Readiness Center</td>
<td>9,145</td>
<td>9,145</td>
<td>9,145</td>
<td>3,055</td>
<td>3,055</td>
</tr>
<tr>
<td>Mississippi</td>
<td>Army National Guard</td>
<td>Batesville</td>
<td>Readiness Center</td>
<td>5,300</td>
<td>5,300</td>
<td>5,300</td>
<td>5,300</td>
<td>5,300</td>
</tr>
<tr>
<td>Mississippi</td>
<td>Air National Guard</td>
<td>Jackson IAP</td>
<td>Jackson C-17 Fac Conversion</td>
<td>16,500</td>
<td>16,500</td>
<td>16,500</td>
<td>16,500</td>
<td>16,500</td>
</tr>
<tr>
<td>Mississippi</td>
<td>Air National Guard</td>
<td>Jackson IAP</td>
<td>Upgrade Combat Control Fac</td>
<td>3,500</td>
<td>3,500</td>
<td>3,500</td>
<td>3,500</td>
<td>3,500</td>
</tr>
<tr>
<td>Mississippi</td>
<td>Air National Guard</td>
<td>Jackson IAP</td>
<td>C-133 Maintenance Training Facility</td>
<td>4,100</td>
<td>4,100</td>
<td>4,100</td>
<td>4,100</td>
<td>4,100</td>
</tr>
<tr>
<td>Mississippi</td>
<td>Air Force Reserve</td>
<td>Keesler AFB</td>
<td>Controlled Habitat Storage Warehouse I</td>
<td>12,184</td>
<td>12,184</td>
<td>12,184</td>
<td>12,184</td>
<td>12,184</td>
</tr>
<tr>
<td>Missouri</td>
<td>Army</td>
<td>Fort Leonard Wood</td>
<td>C130 30 Ton Day Maintenance</td>
<td>12,000</td>
<td>12,000</td>
<td>12,000</td>
<td>12,000</td>
<td>12,000</td>
</tr>
<tr>
<td>Missouri</td>
<td>Army</td>
<td>Fort Leonard Wood</td>
<td>Basic Combat Training Complex (Ph II II)</td>
<td>27,000</td>
<td>27,000</td>
<td>27,000</td>
<td>27,000</td>
<td>27,000</td>
</tr>
<tr>
<td>Missouri</td>
<td>Army</td>
<td>Fort Leonard Wood</td>
<td>Night Fly Range</td>
<td>4,300</td>
<td>4,300</td>
<td>4,300</td>
<td>4,300</td>
<td>4,300</td>
</tr>
<tr>
<td>Missouri</td>
<td>Army</td>
<td>MC NAS Kansas City</td>
<td>BTFJ</td>
<td>9,010</td>
<td>9,010</td>
<td>9,010</td>
<td>9,010</td>
<td>9,010</td>
</tr>
<tr>
<td>Montana</td>
<td>Air Force</td>
<td>Malmstrom AFB</td>
<td>Child Development Center</td>
<td>4,650</td>
<td>4,650</td>
<td>4,650</td>
<td>4,650</td>
<td>4,650</td>
</tr>
<tr>
<td>Montana</td>
<td>Army National Guard</td>
<td>Bozeman</td>
<td>Readiness Center (AFRSS)</td>
<td>822</td>
<td>822</td>
<td>822</td>
<td>822</td>
<td>822</td>
</tr>
<tr>
<td>Nebraska</td>
<td>Air Force</td>
<td>Offutt AFB</td>
<td>Fire Station</td>
<td>10,400</td>
<td>10,400</td>
<td>10,400</td>
<td>10,400</td>
<td>10,400</td>
</tr>
<tr>
<td>Nevada</td>
<td>Navy</td>
<td>NAS Fallon</td>
<td>Water Treatment Capial Improvements Contribution</td>
<td>8,150</td>
<td>8,150</td>
<td>8,150</td>
<td>8,150</td>
<td>8,150</td>
</tr>
<tr>
<td>Nevada</td>
<td>Air Force</td>
<td>Naval Station</td>
<td>AFCJJ/C Dynamic Battle Control Center</td>
<td>12,600</td>
<td>12,600</td>
<td>12,600</td>
<td>12,600</td>
<td>12,600</td>
</tr>
<tr>
<td>Nevada</td>
<td>Air Force</td>
<td>Carson AFB</td>
<td>Development &amp; Change</td>
<td>10,000</td>
<td>10,000</td>
<td>10,000</td>
<td>10,000</td>
<td>10,000</td>
</tr>
<tr>
<td>New Hampshire</td>
<td>Air National Guard</td>
<td>Barksdale AFB</td>
<td>Replace Base Supply Warehouse Complex</td>
<td>8,150</td>
<td>8,150</td>
<td>8,150</td>
<td>8,150</td>
<td>8,150</td>
</tr>
<tr>
<td>New Hampshire</td>
<td>Army National Guard</td>
<td>Cannon AFB</td>
<td>Army Aviation Support Fac</td>
<td>27,185</td>
<td>27,185</td>
<td>27,185</td>
<td>27,185</td>
<td>27,185</td>
</tr>
<tr>
<td>New Hampshire</td>
<td>Army National Guard</td>
<td>Florence</td>
<td>Readiness Center</td>
<td>1,888</td>
<td>1,888</td>
<td>1,888</td>
<td>1,888</td>
<td>1,888</td>
</tr>
<tr>
<td>New Hampshire</td>
<td>Air National Guard</td>
<td>Pease</td>
<td>Regional KC-135/FATS Simulate Training Fac</td>
<td>2,200</td>
<td>2,200</td>
<td>2,200</td>
<td>2,200</td>
<td>2,200</td>
</tr>
<tr>
<td>New Hampshire</td>
<td>Army Reserve</td>
<td>Rochester</td>
<td>USAF Center Regional Maintenance Shop/Sig</td>
<td>9,122</td>
<td>9,122</td>
<td>9,122</td>
<td>9,122</td>
<td>9,122</td>
</tr>
<tr>
<td>New Jersey</td>
<td>Army</td>
<td>Fort Shafter</td>
<td>Baracks</td>
<td>20,000</td>
<td>20,000</td>
<td>20,000</td>
<td>20,000</td>
<td>20,000</td>
</tr>
<tr>
<td>New Jersey</td>
<td>Army</td>
<td>Pirone Army Arsenal</td>
<td>High Energy Propellant Formulation Fac</td>
<td>10,200</td>
<td>10,200</td>
<td>10,200</td>
<td>10,200</td>
<td>10,200</td>
</tr>
<tr>
<td>New Jersey</td>
<td>Navy</td>
<td>WAVE Base</td>
<td>Explosive Truck Holding Area</td>
<td>4,370</td>
<td>4,370</td>
<td>4,370</td>
<td>4,370</td>
<td>4,370</td>
</tr>
<tr>
<td>New Jersey</td>
<td>Air Force</td>
<td>McGuire AFB</td>
<td>Air Freight Terminal Spill Complex (Ph II)</td>
<td>12,600</td>
<td>12,600</td>
<td>12,600</td>
<td>12,600</td>
<td>12,600</td>
</tr>
</tbody>
</table>
### Fiscal Year 2002 Authorization of Appropriations for Military Construction

**(Dollars in thousands)**

<table>
<thead>
<tr>
<th>Location</th>
<th>Service/Agency/Program</th>
<th>Installation</th>
<th>Project Title</th>
<th>FY2002 Request</th>
<th>House Authorized</th>
<th>Senate Authorized</th>
<th>Conference Change</th>
<th>Conference Agreement</th>
</tr>
</thead>
<tbody>
<tr>
<td>New Jersey</td>
<td>Air Force</td>
<td>McGuire AFB</td>
<td>C-17 ASVL Fuel Cell</td>
<td>1,400</td>
<td>1,400</td>
<td>1,400</td>
<td>0</td>
<td>1,400</td>
</tr>
<tr>
<td>New Jersey</td>
<td>Air Force</td>
<td>McGuire AFB</td>
<td>C-17 Communications Support</td>
<td>4,900</td>
<td>4,900</td>
<td>4,900</td>
<td>0</td>
<td>4,900</td>
</tr>
<tr>
<td>New Jersey</td>
<td>Air Force</td>
<td>McGuire AFB</td>
<td>C-17 Flight Simulation Lab</td>
<td>27,700</td>
<td>27,700</td>
<td>27,700</td>
<td>0</td>
<td>27,700</td>
</tr>
<tr>
<td>New Jersey</td>
<td>Air Force</td>
<td>McGuire AFB</td>
<td>C-17 Maintenance Hangar</td>
<td>1,500</td>
<td>1,500</td>
<td>1,500</td>
<td>0</td>
<td>1,500</td>
</tr>
<tr>
<td>New Jersey</td>
<td>Air National Guard</td>
<td>Atlantic City ANG</td>
<td>Common Security Forces Complex</td>
<td>6,300</td>
<td>6,300</td>
<td>6,300</td>
<td>0</td>
<td>6,300</td>
</tr>
<tr>
<td>New Jersey</td>
<td>Air National Guard</td>
<td>McGuire AFB</td>
<td>Joint Medical Training Facility</td>
<td>4,500</td>
<td>4,500</td>
<td>4,500</td>
<td>0</td>
<td>4,500</td>
</tr>
<tr>
<td>New Mexico</td>
<td>Army Reserve</td>
<td>Fort Dix</td>
<td>Professional Development Center</td>
<td>12,000</td>
<td>12,000</td>
<td>12,000</td>
<td>0</td>
<td>12,000</td>
</tr>
<tr>
<td>New Mexico</td>
<td>Army</td>
<td>White Sands Missile Range</td>
<td>Replace Field's Access Station</td>
<td>9,400</td>
<td>9,400</td>
<td>9,400</td>
<td>0</td>
<td>9,400</td>
</tr>
<tr>
<td>New Mexico</td>
<td>Air Force</td>
<td>Kirtland AFB</td>
<td>Teleoptic Atmospheric Compensation Laboratory</td>
<td>15,500</td>
<td>15,500</td>
<td>15,500</td>
<td>0</td>
<td>15,500</td>
</tr>
<tr>
<td>New Mexico</td>
<td>Air Force</td>
<td>Kirtland AFB</td>
<td>Upgrade Small Arms Range Support Facilities</td>
<td>5,700</td>
<td>5,700</td>
<td>5,700</td>
<td>0</td>
<td>5,700</td>
</tr>
<tr>
<td>New Mexico</td>
<td>Air Force</td>
<td>Kirtland AFB</td>
<td>Medical Clinic Alteration</td>
<td>9,000</td>
<td>9,000</td>
<td>9,000</td>
<td>0</td>
<td>9,000</td>
</tr>
<tr>
<td>New Mexico</td>
<td>Army</td>
<td>Fort Drum</td>
<td>Battle Simulation Center (Ph II)</td>
<td>2,450</td>
<td>2,450</td>
<td>2,450</td>
<td>0</td>
<td>2,450</td>
</tr>
<tr>
<td>New York</td>
<td>Army</td>
<td>Fort Drum</td>
<td>Harassment Materials Storage Facility</td>
<td>4,300</td>
<td>4,300</td>
<td>4,300</td>
<td>0</td>
<td>4,300</td>
</tr>
<tr>
<td>New York</td>
<td>Army</td>
<td>Fort Drum</td>
<td>Tactical Operations Facility</td>
<td>31,000</td>
<td>31,000</td>
<td>31,000</td>
<td>0</td>
<td>31,000</td>
</tr>
<tr>
<td>New York</td>
<td>Army</td>
<td>Fort Drum</td>
<td>Training Area Access Road</td>
<td>18,400</td>
<td>18,400</td>
<td>18,400</td>
<td>0</td>
<td>18,400</td>
</tr>
<tr>
<td>New York</td>
<td>Army National Guard</td>
<td>AFB West Point</td>
<td>Cadet Physical Development Center (Ph III)</td>
<td>37,900</td>
<td>37,900</td>
<td>37,900</td>
<td>0</td>
<td>37,900</td>
</tr>
<tr>
<td>New York</td>
<td>Army National Guard</td>
<td>Fort Drum</td>
<td>Maneuver Area Training and Equipment Site</td>
<td>17,000</td>
<td>17,000</td>
<td>17,000</td>
<td>0</td>
<td>17,000</td>
</tr>
<tr>
<td>New York</td>
<td>Army National Guard</td>
<td>Ganski Airport</td>
<td>Ganski Composite Support Complex</td>
<td>19,000</td>
<td>19,000</td>
<td>19,000</td>
<td>0</td>
<td>19,000</td>
</tr>
<tr>
<td>New York</td>
<td>Air National Guard</td>
<td>Niagara Falls AFB</td>
<td>Fuel Cell &amp; Correctional Care Facility Addition</td>
<td>1,500</td>
<td>1,500</td>
<td>1,500</td>
<td>0</td>
<td>1,500</td>
</tr>
<tr>
<td>New York</td>
<td>Army</td>
<td>Hanscom Field</td>
<td>Civil Engineers Pay and Grounds Facility</td>
<td>2,500</td>
<td>2,500</td>
<td>2,500</td>
<td>0</td>
<td>2,500</td>
</tr>
<tr>
<td>New York</td>
<td>Army National Guard</td>
<td>Hanscom Field</td>
<td>Composite Resilient Support Facility</td>
<td>49,000</td>
<td>49,000</td>
<td>49,000</td>
<td>0</td>
<td>49,000</td>
</tr>
<tr>
<td>North Carolina</td>
<td>Army</td>
<td>Fort Bragg</td>
<td>Baracks Complex - Blalock Rd (Ph II)</td>
<td>27,000</td>
<td>27,000</td>
<td>27,000</td>
<td>0</td>
<td>27,000</td>
</tr>
<tr>
<td>North Carolina</td>
<td>Army</td>
<td>Fort Bragg</td>
<td>Baracks Complex - Longstreet Rd (Ph II)</td>
<td>17,500</td>
<td>17,500</td>
<td>17,500</td>
<td>0</td>
<td>17,500</td>
</tr>
<tr>
<td>North Carolina</td>
<td>Army</td>
<td>Fort Bragg</td>
<td>Baracks Complex - Tappahannock Rd (Ph III)</td>
<td>7,700</td>
<td>7,700</td>
<td>7,700</td>
<td>0</td>
<td>7,700</td>
</tr>
<tr>
<td>North Carolina</td>
<td>Army</td>
<td>Fort Bragg</td>
<td>Vehicle Maintenance Facility</td>
<td>13,600</td>
<td>13,600</td>
<td>13,600</td>
<td>0</td>
<td>13,600</td>
</tr>
<tr>
<td>North Carolina</td>
<td>Army</td>
<td>Sunny Point (HI)</td>
<td>Employment Staging Area</td>
<td>2,000</td>
<td>2,000</td>
<td>2,000</td>
<td>0</td>
<td>2,000</td>
</tr>
<tr>
<td>North Carolina</td>
<td>Army</td>
<td>Sunny Point (HI)</td>
<td>Fire Station</td>
<td>2,750</td>
<td>2,750</td>
<td>2,750</td>
<td>0</td>
<td>2,750</td>
</tr>
<tr>
<td>North Carolina</td>
<td>Army</td>
<td>Sunny Point (HI)</td>
<td>Open Storage Area</td>
<td>2,050</td>
<td>2,050</td>
<td>2,050</td>
<td>0</td>
<td>2,050</td>
</tr>
<tr>
<td>North Carolina</td>
<td>Army</td>
<td>Sunny Point (HI)</td>
<td>Road Improvements &amp; Truck Fac</td>
<td>4,600</td>
<td>4,600</td>
<td>4,600</td>
<td>0</td>
<td>4,600</td>
</tr>
<tr>
<td>North Carolina</td>
<td>Navy</td>
<td>NAS New River</td>
<td>Property Control Fac</td>
<td>2,490</td>
<td>2,490</td>
<td>2,490</td>
<td>0</td>
<td>2,490</td>
</tr>
<tr>
<td>Location</td>
<td>Service/Agency/Program</td>
<td>Installation</td>
<td>Project Title</td>
<td>FY2002 Request</td>
<td>House Authorized</td>
<td>Senate Authorized</td>
<td>Conference Change</td>
<td>Conference Agreement</td>
</tr>
<tr>
<td>-------------------</td>
<td>------------------------</td>
<td>----------------</td>
<td>---------------------------------------------------</td>
<td>----------------</td>
<td>------------------</td>
<td>-------------------</td>
<td>-------------------</td>
<td>----------------------</td>
</tr>
<tr>
<td>North Carolina</td>
<td>Navy</td>
<td>MB: AS New River</td>
<td>Property Control Fac</td>
<td>1,560</td>
<td>1,560</td>
<td>1,560</td>
<td>1,560</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Navy</td>
<td>MB: Camp Lejeune</td>
<td>Academic Building</td>
<td>15,860</td>
<td>15,860</td>
<td>15,860</td>
<td>15,860</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Navy</td>
<td>MB: Camp Lejeune</td>
<td>Ammunition Storage Magazine</td>
<td>5,880</td>
<td>5,880</td>
<td>5,880</td>
<td>5,880</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Navy</td>
<td>MB: Camp Lejeune</td>
<td>BEQ Marine ER/1</td>
<td>13,550</td>
<td>13,550</td>
<td>13,550</td>
<td>13,550</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Navy</td>
<td>MB: Camp Lejeune</td>
<td>BEQ Marine ER/2</td>
<td>16,530</td>
<td>16,530</td>
<td>16,530</td>
<td>16,530</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Navy</td>
<td>MB: Camp Lejeune</td>
<td>FM/ Equip Maint Shop</td>
<td>6,960</td>
<td>6,960</td>
<td>6,960</td>
<td>6,960</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Navy</td>
<td>MB: Camp Lejeune</td>
<td>Landfill Cell</td>
<td>8,790</td>
<td>8,790</td>
<td>8,790</td>
<td>8,790</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Navy</td>
<td>MB: Camp Lejeune</td>
<td>Consolidate C-130 Conversion Control Fac</td>
<td>17,800</td>
<td>17,800</td>
<td>17,800</td>
<td>17,800</td>
<td></td>
</tr>
<tr>
<td></td>
<td>DLA</td>
<td>Pope AFB</td>
<td>Build Fuel Storage Tank</td>
<td>1,400</td>
<td>1,400</td>
<td>1,400</td>
<td>1,400</td>
<td></td>
</tr>
<tr>
<td></td>
<td>DOD/EA</td>
<td>MCB Camp Lejeune</td>
<td>Replace Tarawa Terence I Elementary School</td>
<td>8,857</td>
<td>8,857</td>
<td>8,857</td>
<td>8,857</td>
<td></td>
</tr>
<tr>
<td>North Carolina</td>
<td>SOCOM</td>
<td>Fort Bragg</td>
<td>SOF Bldn Ops &amp; Veh Maint Fac</td>
<td>8,500</td>
<td>8,500</td>
<td>8,500</td>
<td>8,500</td>
<td></td>
</tr>
<tr>
<td></td>
<td>SOCOM</td>
<td>Fort Bragg</td>
<td>SOF Imagery &amp; Anal Fac</td>
<td>3,150</td>
<td>3,150</td>
<td>3,150</td>
<td>3,150</td>
<td></td>
</tr>
<tr>
<td></td>
<td>SOCOM</td>
<td>Fort Bragg</td>
<td>SOF Lang Support &amp; Training Fac</td>
<td>2,100</td>
<td>2,100</td>
<td>2,100</td>
<td>2,100</td>
<td></td>
</tr>
<tr>
<td></td>
<td>SOCOM</td>
<td>Fort Bragg</td>
<td>SOF Repair Training Fac</td>
<td>1,812</td>
<td>1,812</td>
<td>1,812</td>
<td>1,812</td>
<td></td>
</tr>
<tr>
<td></td>
<td>SOCOM</td>
<td>Fort Bragg</td>
<td>SOF Team Operations &amp; Inf Infrastruct Fac</td>
<td>5,800</td>
<td>5,800</td>
<td>5,800</td>
<td>5,800</td>
<td></td>
</tr>
<tr>
<td></td>
<td>SOCOM</td>
<td>Fort Bragg</td>
<td>SOF Training Fac</td>
<td>5,000</td>
<td>5,000</td>
<td>5,000</td>
<td>5,000</td>
<td></td>
</tr>
<tr>
<td></td>
<td>SOCOM</td>
<td>Fort Bragg</td>
<td>SOF Training Range</td>
<td>2,600</td>
<td>2,600</td>
<td>2,600</td>
<td>2,600</td>
<td></td>
</tr>
<tr>
<td>North Carolina</td>
<td>SOCOM</td>
<td>Fort Bragg</td>
<td>SOF Veh Maintanance Complex</td>
<td>3,600</td>
<td>3,600</td>
<td>3,600</td>
<td>3,600</td>
<td></td>
</tr>
<tr>
<td></td>
<td>SOCOM</td>
<td>Fort Bragg</td>
<td>SOF Weather Operations Fac</td>
<td>1,000</td>
<td>1,000</td>
<td>1,000</td>
<td>1,000</td>
<td></td>
</tr>
<tr>
<td></td>
<td>SOCOM</td>
<td>Fort Bragg</td>
<td>Military Education Fac (Ph II)</td>
<td>8,790</td>
<td>8,790</td>
<td>8,790</td>
<td>8,790</td>
<td></td>
</tr>
<tr>
<td>North Dakota</td>
<td>Air Force</td>
<td>Grand Forks AFB</td>
<td>KF-375 Sq Opr/Ms</td>
<td>7,800</td>
<td>7,800</td>
<td>7,800</td>
<td>7,800</td>
<td></td>
</tr>
<tr>
<td>North Dakota</td>
<td>IRA</td>
<td>Grand Forks AFB</td>
<td>Hydroops Fuel System</td>
<td>9,110</td>
<td>9,110</td>
<td>9,110</td>
<td>9,110</td>
<td></td>
</tr>
<tr>
<td>North Dakota</td>
<td>IRA</td>
<td>Aims AFB</td>
<td>Weapons Ref Shop and Mission Sup</td>
<td>14,000</td>
<td>14,000</td>
<td>14,000</td>
<td>14,000</td>
<td></td>
</tr>
<tr>
<td>North Dakota</td>
<td>IA/Army National Guard</td>
<td>Hector International Airport</td>
<td>AERIAL Special Operations Intelligence</td>
<td>5,000</td>
<td>5,000</td>
<td>5,000</td>
<td>5,000</td>
<td></td>
</tr>
<tr>
<td>Ohio</td>
<td>Air Force</td>
<td>Wright-Patterson AFB</td>
<td>Consolidation Arp Management Complex (Ph IV)</td>
<td>21,400</td>
<td>21,400</td>
<td>21,400</td>
<td>21,400</td>
<td></td>
</tr>
<tr>
<td>Ohio</td>
<td>Air Force</td>
<td>Wright-Patterson AFB</td>
<td>Security Gate, Base Entrance</td>
<td>1,400</td>
<td>1,400</td>
<td>1,400</td>
<td>1,400</td>
<td></td>
</tr>
<tr>
<td>Ohio</td>
<td>Army National Guard</td>
<td>HSP Cincinnati</td>
<td>Readiness Ctr</td>
<td>9,780</td>
<td>9,780</td>
<td>9,780</td>
<td>9,780</td>
<td></td>
</tr>
<tr>
<td>Ohio</td>
<td>Army National Guard</td>
<td>Shawnee</td>
<td>Readiness Ctr</td>
<td>2,200</td>
<td>2,200</td>
<td>2,200</td>
<td>2,200</td>
<td></td>
</tr>
<tr>
<td>Ohio</td>
<td>Army National Guard</td>
<td>Cheyenne</td>
<td>Readiness Ctr</td>
<td>2,632</td>
<td>2,632</td>
<td>2,632</td>
<td>2,632</td>
<td></td>
</tr>
<tr>
<td>Ohio</td>
<td>Air National Guard</td>
<td>Mansfield Lahm Airport</td>
<td>Replace Veh Maintanance Complex</td>
<td>3,500</td>
<td>3,500</td>
<td>3,500</td>
<td>3,500</td>
<td></td>
</tr>
<tr>
<td>Ohio</td>
<td>Air National Guard</td>
<td>Springfield Site/ IAP</td>
<td>Parking Aprt</td>
<td>10,600</td>
<td>10,600</td>
<td>10,600</td>
<td>10,600</td>
<td></td>
</tr>
<tr>
<td>Ohio</td>
<td>Air Reserve</td>
<td>Cleveland</td>
<td>Land Acquisition</td>
<td>1,200</td>
<td>1,200</td>
<td>1,200</td>
<td>1,200</td>
<td></td>
</tr>
<tr>
<td>Oklahoma</td>
<td>Army</td>
<td>Fort Sill</td>
<td>Deployment Staging Complex</td>
<td>5,100</td>
<td>5,100</td>
<td>5,100</td>
<td>5,100</td>
<td></td>
</tr>
<tr>
<td>Oklahoma</td>
<td>Army</td>
<td>Fort Sill</td>
<td>Consolidation Logistics Maintenance Complex Phase</td>
<td>12,500</td>
<td>12,500</td>
<td>12,500</td>
<td>12,500</td>
<td></td>
</tr>
<tr>
<td>Location</td>
<td>Service/Agency/Program</td>
<td>Installation</td>
<td>Project Title</td>
<td>FY2003 Request</td>
<td>House Authorized</td>
<td>Senate Authorized</td>
<td>Conference Change</td>
<td>Conference Agreement</td>
</tr>
<tr>
<td>---------------</td>
<td>------------------------</td>
<td>--------------</td>
<td>---------------------------------------------------</td>
<td>----------------</td>
<td>------------------</td>
<td>-------------------</td>
<td>-------------------</td>
<td>----------------------</td>
</tr>
<tr>
<td>Oklahoma</td>
<td>Air Force</td>
<td>Tinker AFB</td>
<td>Repair Airfield Pavements (Ph I)</td>
<td>20,200</td>
<td>20,200</td>
<td>20,200</td>
<td>10,300</td>
<td>10,200</td>
</tr>
<tr>
<td>Oklahoma</td>
<td>Air Force</td>
<td>Tinker AFB</td>
<td>Detachment</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Oklahoma</td>
<td>Air Force</td>
<td>Tinker AFB</td>
<td>Repair Depot Planning Shop</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Oklahoma</td>
<td>Air Force</td>
<td>Vance AFB</td>
<td>Consolidate Integration Support Fac</td>
<td>7,500</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Oregon</td>
<td>Army National Guard</td>
<td>Eugene</td>
<td>Repair Elm Road</td>
<td>4,800</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Oregon</td>
<td>Army National Guard</td>
<td>Oregon City</td>
<td>Readiness Center</td>
<td>9,120</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Pennsylvania</td>
<td>Army Reserve</td>
<td>Philadelphia</td>
<td>Assured Forces Reserve Center Complex</td>
<td>7,601</td>
<td>8,380</td>
<td>11,200</td>
<td>11,200</td>
<td>11,200</td>
</tr>
<tr>
<td>Pennsylvania</td>
<td>Army Reserve</td>
<td>Philadelphia</td>
<td>Machine Shop Modernization</td>
<td>14,800</td>
<td>14,800</td>
<td>14,800</td>
<td></td>
<td>14,800</td>
</tr>
<tr>
<td>Pennsylvania</td>
<td>DLA</td>
<td>DODP New Cumberland</td>
<td>Special Purpose Warehouse</td>
<td>19,900</td>
<td>19,900</td>
<td>19,900</td>
<td>19,900</td>
<td>19,900</td>
</tr>
<tr>
<td>Pennsylvania</td>
<td>DLA</td>
<td>DODP New Cumberland</td>
<td>Consolidate Indoor Finess Facilities</td>
<td>2,429</td>
<td>2,429</td>
<td>2,429</td>
<td>2,429</td>
<td>2,429</td>
</tr>
<tr>
<td>Pennsylvania</td>
<td>Army Reserve</td>
<td>Johnson AFB</td>
<td>Transit Quarter</td>
<td>3,000</td>
<td>3,000</td>
<td>3,000</td>
<td>3,000</td>
<td>3,000</td>
</tr>
<tr>
<td>Pennsylvania</td>
<td>Air National Guard</td>
<td>Pittsburgh TAP</td>
<td>Replace Vehicle Maintenance Complex</td>
<td>3,200</td>
<td>3,200</td>
<td>3,200</td>
<td>3,200</td>
<td>3,200</td>
</tr>
<tr>
<td>Pennsylvania</td>
<td>Air National Guard</td>
<td>Pittsburgh TAP</td>
<td>AESG Support Fac</td>
<td>1,946</td>
<td>1,946</td>
<td>1,946</td>
<td>1,946</td>
<td>1,946</td>
</tr>
<tr>
<td>Pennsylvania</td>
<td>Navy Reserve</td>
<td>NAS New Castle</td>
<td>SWOR Applied Inn Bldg</td>
<td>15,290</td>
<td>15,290</td>
<td>15,290</td>
<td>15,290</td>
<td>15,290</td>
</tr>
<tr>
<td>Rhode Island</td>
<td>Navy</td>
<td>NS Newport</td>
<td>Unmanned Undersea Vehicle Lab</td>
<td></td>
<td>9,330</td>
<td>9,330</td>
<td>9,330</td>
<td>9,330</td>
</tr>
<tr>
<td>Rhode Island</td>
<td>Navy</td>
<td>NSWRC Newport</td>
<td>C-130/J Replace Composite Main Shop</td>
<td></td>
<td>9,600</td>
<td>9,600</td>
<td>9,600</td>
<td>9,600</td>
</tr>
<tr>
<td>South Carolina</td>
<td>Army</td>
<td>Fort Jackson</td>
<td>Basic Combat Trainer Complex (Ph I)</td>
<td>26,000</td>
<td>26,000</td>
<td>26,000</td>
<td>26,000</td>
<td>26,000</td>
</tr>
<tr>
<td>South Carolina</td>
<td>Army</td>
<td>Fort Jackson</td>
<td>Central Energy Plant</td>
<td></td>
<td>3,650</td>
<td>3,650</td>
<td>3,650</td>
<td>3,650</td>
</tr>
<tr>
<td>South Carolina</td>
<td>Navy</td>
<td>MCAS Beaufort</td>
<td>APSE Warehouse</td>
<td>1,950</td>
<td>1,950</td>
<td>1,950</td>
<td>1,950</td>
<td>1,950</td>
</tr>
<tr>
<td>South Carolina</td>
<td>Navy</td>
<td>MCAS Beaufort</td>
<td>Child Development Center</td>
<td>6,060</td>
<td>6,060</td>
<td>6,060</td>
<td>6,060</td>
<td>6,060</td>
</tr>
<tr>
<td>South Carolina</td>
<td>Navy</td>
<td>HH Beaufort</td>
<td>Bachelor Enlisted Quarters</td>
<td>7,600</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>South Carolina</td>
<td>Navy</td>
<td>MC RD Parris Island</td>
<td>Military Police Station</td>
<td>5,410</td>
<td>5,410</td>
<td>5,410</td>
<td>5,410</td>
<td>5,410</td>
</tr>
<tr>
<td>South Carolina</td>
<td>Air Force</td>
<td>Shaw AFB</td>
<td>Education Centers</td>
<td>5,800</td>
<td>5,800</td>
<td>5,800</td>
<td>5,800</td>
<td>5,800</td>
</tr>
<tr>
<td>South Carolina</td>
<td>DOD/EA</td>
<td>Launch Bay</td>
<td>Replace Launch Bay ES</td>
<td>12,850</td>
<td>12,850</td>
<td>12,850</td>
<td>12,850</td>
<td>12,850</td>
</tr>
<tr>
<td>South Dakota</td>
<td>Air Force</td>
<td>Ellsworth AFB</td>
<td>Logistics Tracking Facility</td>
<td></td>
<td>12,200</td>
<td>12,200</td>
<td>12,200</td>
<td>12,200</td>
</tr>
<tr>
<td>South Dakota</td>
<td>Army National Guard</td>
<td>Kincheloe</td>
<td>Combined Support Maintenance Shop</td>
<td>14,278</td>
<td>14,278</td>
<td>14,278</td>
<td>14,278</td>
<td>14,278</td>
</tr>
<tr>
<td>South Dakota</td>
<td>Air National Guard</td>
<td>Det FSS FDF</td>
<td>Repair/Youth Impacting Facities</td>
<td>6,500</td>
<td>6,500</td>
<td>6,500</td>
<td>6,500</td>
<td>6,500</td>
</tr>
<tr>
<td>Tennessee</td>
<td>Navy</td>
<td>NASA Middlesboro</td>
<td>Convert To Hyperionics Plant</td>
<td>3,900</td>
<td>3,900</td>
<td>3,900</td>
<td>3,900</td>
<td>3,900</td>
</tr>
<tr>
<td>Tennessee</td>
<td>Air Force</td>
<td>Arnold AFB</td>
<td>Upgrade Air Breathing System</td>
<td>10,400</td>
<td>10,400</td>
<td>10,400</td>
<td>10,400</td>
<td>10,400</td>
</tr>
<tr>
<td>Tennessee</td>
<td>Air Force</td>
<td>Arnold AFB</td>
<td>Readiness Center</td>
<td>8,203</td>
<td>8,203</td>
<td>8,203</td>
<td>8,203</td>
<td>8,203</td>
</tr>
<tr>
<td>Tennessee</td>
<td>Army National Guard</td>
<td>Henderson</td>
<td>Operational Maintenance Fac</td>
<td>2,012</td>
<td>2,012</td>
<td>2,012</td>
<td>2,012</td>
<td>2,012</td>
</tr>
<tr>
<td>Tennessee</td>
<td>Army National Guard</td>
<td>Nashville TAP</td>
<td>Replace Composite Aircraft Maintenance Complex</td>
<td>11,000</td>
<td>11,000</td>
<td>11,000</td>
<td>11,000</td>
<td>11,000</td>
</tr>
<tr>
<td>Texas</td>
<td>Army</td>
<td>Cupsaw Army Depot</td>
<td>Engine Unskilled &amp; Cleaning Fac</td>
<td>10,400</td>
<td>10,400</td>
<td>10,400</td>
<td>10,400</td>
<td>10,400</td>
</tr>
<tr>
<td>Location</td>
<td>Category</td>
<td>Program</td>
<td>Amount (in thousands)</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>----------</td>
<td>----------</td>
<td>---------</td>
<td>----------------------</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Arizona</td>
<td>Army</td>
<td>Repairs, Equipment</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Arkansas</td>
<td>Army</td>
<td>Modernization and Development</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>California</td>
<td>Army</td>
<td>Modernization and Development</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Colorado</td>
<td>Army</td>
<td>Modernization and Development</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Connecticut</td>
<td>Army</td>
<td>Modernization and Development</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Delaware</td>
<td>Army</td>
<td>Modernization and Development</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Florida</td>
<td>Army</td>
<td>Modernization and Development</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Georgia</td>
<td>Army</td>
<td>Modernization and Development</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Hawaii</td>
<td>Army</td>
<td>Modernization and Development</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Idaho</td>
<td>Army</td>
<td>Modernization and Development</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Illinois</td>
<td>Army</td>
<td>Modernization and Development</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Indiana</td>
<td>Army</td>
<td>Modernization and Development</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Iowa</td>
<td>Army</td>
<td>Modernization and Development</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Kansas</td>
<td>Army</td>
<td>Modernization and Development</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Kentucky</td>
<td>Army</td>
<td>Modernization and Development</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Louisiana</td>
<td>Army</td>
<td>Modernization and Development</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Maine</td>
<td>Army</td>
<td>Modernization and Development</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Maryland</td>
<td>Army</td>
<td>Modernization and Development</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Massachusetts</td>
<td>Army</td>
<td>Modernization and Development</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Michigan</td>
<td>Army</td>
<td>Modernization and Development</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Minnesota</td>
<td>Army</td>
<td>Modernization and Development</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Missouri</td>
<td>Army</td>
<td>Modernization and Development</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Nebraska</td>
<td>Army</td>
<td>Modernization and Development</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>New Hampshire</td>
<td>Army</td>
<td>Modernization and Development</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>New Jersey</td>
<td>Army</td>
<td>Modernization and Development</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>New Mexico</td>
<td>Army</td>
<td>Modernization and Development</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>New York</td>
<td>Army</td>
<td>Modernization and Development</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>North Carolina</td>
<td>Army</td>
<td>Modernization and Development</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>North Dakota</td>
<td>Army</td>
<td>Modernization and Development</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Ohio</td>
<td>Army</td>
<td>Modernization and Development</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Oklahoma</td>
<td>Army</td>
<td>Modernization and Development</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Oregon</td>
<td>Army</td>
<td>Modernization and Development</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Pennsylvania</td>
<td>Army</td>
<td>Modernization and Development</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Rhode Island</td>
<td>Army</td>
<td>Modernization and Development</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>South Carolina</td>
<td>Army</td>
<td>Modernization and Development</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>South Dakota</td>
<td>Army</td>
<td>Modernization and Development</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Tennessee</td>
<td>Army</td>
<td>Modernization and Development</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Texas</td>
<td>Army</td>
<td>Modernization and Development</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Utah</td>
<td>Army</td>
<td>Modernization and Development</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Vermont</td>
<td>Army</td>
<td>Modernization and Development</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Virginia</td>
<td>Army</td>
<td>Modernization and Development</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Washington</td>
<td>Army</td>
<td>Modernization and Development</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>West Virginia</td>
<td>Army</td>
<td>Modernization and Development</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Wisconsin</td>
<td>Army</td>
<td>Modernization and Development</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Wyoming</td>
<td>Army</td>
<td>Modernization and Development</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Location</td>
<td>Service/Agency/Territory</td>
<td>Installation</td>
<td>Project Title</td>
<td>FY 2002 House</td>
<td>Senate</td>
<td>Conference</td>
<td>Conference</td>
<td></td>
</tr>
<tr>
<td>--------------</td>
<td>--------------------------</td>
<td>--------------</td>
<td>--------------------------------------------------------------------------------</td>
<td>----------------</td>
<td>--------</td>
<td>------------</td>
<td>------------</td>
<td></td>
</tr>
<tr>
<td>Virginia</td>
<td>Navy</td>
<td>NS Norfolk</td>
<td>Aircraft Maintenance Hangar Replacement</td>
<td>11,100</td>
<td>11,100</td>
<td>11,100</td>
<td>11,100</td>
<td></td>
</tr>
<tr>
<td>Virginia</td>
<td>Navy</td>
<td>NS Norfolk</td>
<td>Aircraft Main Hangar</td>
<td>13,300</td>
<td>15,300</td>
<td>15,300</td>
<td>15,300</td>
<td></td>
</tr>
<tr>
<td>Virginia</td>
<td>Navy</td>
<td>NS Norfolk</td>
<td>Airfield Pavement Recap</td>
<td>6,160</td>
<td>6,160</td>
<td>6,160</td>
<td>6,160</td>
<td></td>
</tr>
<tr>
<td>Virginia</td>
<td>Air Force</td>
<td>Langley AFB</td>
<td>F-22 Low Altitude Restoration &amp; Comp Repair Fac</td>
<td>10,000</td>
<td>10,000</td>
<td>10,000</td>
<td>10,000</td>
<td></td>
</tr>
<tr>
<td>Virginia</td>
<td>Air Force</td>
<td>Langley AFB</td>
<td>F-22 Operations And Maintenance Fac</td>
<td>19,000</td>
<td>19,000</td>
<td>19,000</td>
<td>19,000</td>
<td></td>
</tr>
<tr>
<td>Virginia</td>
<td>Air Force</td>
<td>Langley AFB</td>
<td>F-22 -Upgrade Highline Infrastructur</td>
<td>9,000</td>
<td>9,000</td>
<td>9,000</td>
<td>9,000</td>
<td></td>
</tr>
<tr>
<td>Virginia</td>
<td>Air Force</td>
<td>Langley AFB</td>
<td>Additional Clothes Unit</td>
<td>9,000</td>
<td>9,000</td>
<td>9,000</td>
<td>9,000</td>
<td></td>
</tr>
<tr>
<td>Virginia</td>
<td>Air Force</td>
<td>Langley AFB</td>
<td>Branch Medical Clinic Add/Alt (Seventh Point)</td>
<td>21,000</td>
<td>21,000</td>
<td>21,000</td>
<td>21,000</td>
<td></td>
</tr>
<tr>
<td>Virginia</td>
<td>Air Force</td>
<td>Fort Belvoir</td>
<td>Pentagon Physical Fitness &amp; Readiness Fac</td>
<td>25,000</td>
<td>25,000</td>
<td>25,000</td>
<td>25,000</td>
<td></td>
</tr>
<tr>
<td>Virginia</td>
<td>Air Force</td>
<td>Fort Belvoir</td>
<td>Man &amp; Training Equip Site (Ph III)</td>
<td>10,700</td>
<td>10,700</td>
<td>10,700</td>
<td>10,700</td>
<td></td>
</tr>
<tr>
<td>Virginia</td>
<td>Army National Guard</td>
<td>Fort Eustis</td>
<td>Headquarters Building</td>
<td>21,100</td>
<td>21,100</td>
<td>21,100</td>
<td>21,100</td>
<td></td>
</tr>
<tr>
<td>Virginia</td>
<td>Army Reserve</td>
<td>NEP Williamsburg</td>
<td>Annexe Supply Point Expansion</td>
<td>13,000</td>
<td>13,000</td>
<td>13,000</td>
<td>13,000</td>
<td></td>
</tr>
<tr>
<td>Washington</td>
<td>Army</td>
<td>Fort Lewis</td>
<td>Annex 1 Utopia 198 &amp; 199 Street (Ph I)</td>
<td>48,000</td>
<td>48,000</td>
<td>48,000</td>
<td>48,000</td>
<td></td>
</tr>
<tr>
<td>Washington</td>
<td>Army</td>
<td>Fort Lewis</td>
<td>Command Vehicle Trail</td>
<td>7,300</td>
<td>7,300</td>
<td>7,300</td>
<td>7,300</td>
<td></td>
</tr>
<tr>
<td>Washington</td>
<td>Army</td>
<td>Fort Lewis</td>
<td>Deployment Staging Complex</td>
<td>16,500</td>
<td>16,500</td>
<td>16,500</td>
<td>16,500</td>
<td></td>
</tr>
<tr>
<td>Washington</td>
<td>Army</td>
<td>Fort Lewis</td>
<td>Deployment Staging Complex/Relay</td>
<td>10,200</td>
<td>10,200</td>
<td>10,200</td>
<td>10,200</td>
<td></td>
</tr>
<tr>
<td>Washington</td>
<td>Army</td>
<td>Fort Lewis</td>
<td>Pallet Handling Fac</td>
<td>11,200</td>
<td>11,200</td>
<td>11,200</td>
<td>11,200</td>
<td></td>
</tr>
<tr>
<td>Washington</td>
<td>Army</td>
<td>Fort Lewis</td>
<td>Vehicle Maintenance Fac</td>
<td>9,100</td>
<td>9,100</td>
<td>9,100</td>
<td>9,100</td>
<td></td>
</tr>
<tr>
<td>Washington</td>
<td>Army</td>
<td>Fort Lewis</td>
<td>Vehicle Maintenance Fac</td>
<td>9,600</td>
<td>9,600</td>
<td>9,600</td>
<td>9,600</td>
<td></td>
</tr>
<tr>
<td>Washington</td>
<td>Navy</td>
<td>NAS Whidbey Island</td>
<td>P-3 Support Fac</td>
<td>3,470</td>
<td>3,470</td>
<td>3,470</td>
<td>3,470</td>
<td></td>
</tr>
<tr>
<td>Washington</td>
<td>Navy</td>
<td>NAS Whidbey Island</td>
<td>Joint Activity Unit 102104 &amp; 102106 (Ph I)</td>
<td>11,900</td>
<td>11,900</td>
<td>11,900</td>
<td>11,900</td>
<td></td>
</tr>
<tr>
<td>Washington</td>
<td>Navy</td>
<td>NS Everett</td>
<td>Short Int Maint Fac</td>
<td>6,820</td>
<td>6,820</td>
<td>6,820</td>
<td>6,820</td>
<td></td>
</tr>
<tr>
<td>Washington</td>
<td>Navy</td>
<td>SWP FAC Bangor</td>
<td>Utilities &amp; Site Improvement</td>
<td>3,900</td>
<td>3,900</td>
<td>3,900</td>
<td>3,900</td>
<td></td>
</tr>
<tr>
<td>Washington</td>
<td>Navy</td>
<td>NSY Puget Sound</td>
<td>Industrial Skills Center (Ph III)</td>
<td>14,000</td>
<td>14,000</td>
<td>14,000</td>
<td>14,000</td>
<td></td>
</tr>
<tr>
<td>Washington</td>
<td>Air Force</td>
<td>Fairchild AFB</td>
<td>Replace Minimum Maint Admin Fac</td>
<td>2,800</td>
<td>2,800</td>
<td>2,800</td>
<td>2,800</td>
<td></td>
</tr>
<tr>
<td>Washington</td>
<td>Air Force</td>
<td>MC Thorton AFB</td>
<td>AUMC Mission Support Center (Ph III)</td>
<td>15,800</td>
<td>15,800</td>
<td>15,800</td>
<td>15,800</td>
<td></td>
</tr>
</tbody>
</table>
### Fiscal Year 2002 Authorization of Appropriations for Military Construction

(Dollars in thousands)

<table>
<thead>
<tr>
<th>Location</th>
<th>Service/Army/Program</th>
<th>Installation</th>
<th>Project Title</th>
<th>FY2002 Request</th>
<th>FY2002 House</th>
<th>FY2002 Senate</th>
<th>Change</th>
<th>FY2002 Agreement</th>
</tr>
</thead>
<tbody>
<tr>
<td>Germany</td>
<td>DOD/EA</td>
<td>Grindelbach</td>
<td>Grindelbach ES Multi-Purpose Room</td>
<td>1,731</td>
<td>1,712</td>
<td>1,731</td>
<td>-</td>
<td>1,731</td>
</tr>
<tr>
<td>Germany</td>
<td>DOD/EA</td>
<td>Heidelberg</td>
<td>Patrick Henry ES Classroom Addition/Renovation</td>
<td>3,312</td>
<td>3,312</td>
<td>3,312</td>
<td>-</td>
<td>3,312</td>
</tr>
<tr>
<td>Germany</td>
<td>DOD/EA</td>
<td>Kaiserslautern</td>
<td>Kaiserslautern ES Classroom Addition</td>
<td>1,419</td>
<td>1,419</td>
<td>1,419</td>
<td>-</td>
<td>1,419</td>
</tr>
<tr>
<td>Germany</td>
<td>DOD/EA</td>
<td>Kirtzingen</td>
<td>Kirtzingen ES Classroom Addition</td>
<td>1,394</td>
<td>1,394</td>
<td>1,394</td>
<td>-</td>
<td>1,394</td>
</tr>
<tr>
<td>Germany</td>
<td>DOD/EA</td>
<td>Landstuhl</td>
<td>Landstuhl EAFES Classroom Addition</td>
<td>1,444</td>
<td>1,444</td>
<td>1,444</td>
<td>-</td>
<td>1,444</td>
</tr>
<tr>
<td>Germany</td>
<td>DOD/EA</td>
<td>Ramstein AFB</td>
<td>Ramstein ES Classroom Addition</td>
<td>2,814</td>
<td>2,814</td>
<td>2,814</td>
<td>-</td>
<td>2,814</td>
</tr>
<tr>
<td>Germany</td>
<td>DOD/EA</td>
<td>Vogelweh Aumsa</td>
<td>Vogelweh ES Classroom Addition/Renovation</td>
<td>1,555</td>
<td>1,555</td>
<td>1,555</td>
<td>-</td>
<td>1,555</td>
</tr>
<tr>
<td>Germany</td>
<td>DOD/EA</td>
<td>Wiesbaden AB</td>
<td>Hanseborg ES Classroom Addition</td>
<td>1,378</td>
<td>1,378</td>
<td>1,378</td>
<td>-</td>
<td>1,378</td>
</tr>
<tr>
<td>Germany</td>
<td>THA</td>
<td>Heidelberg</td>
<td>Medical/Immun Clinic</td>
<td>28,000</td>
<td>28,000</td>
<td>28,000</td>
<td>-</td>
<td>28,000</td>
</tr>
<tr>
<td>Greece</td>
<td>Navy</td>
<td>NSA Rhodos</td>
<td>BEQ</td>
<td>12,240</td>
<td>12,240</td>
<td>12,240</td>
<td>-</td>
<td>12,240</td>
</tr>
<tr>
<td>Greece</td>
<td>Navy</td>
<td>NSA Souda Bay</td>
<td>Sewage Treatment Plant Addition</td>
<td>3,100</td>
<td>3,100</td>
<td>3,100</td>
<td>-</td>
<td>3,100</td>
</tr>
<tr>
<td>Greenland</td>
<td>Air Force</td>
<td>Thule AB</td>
<td>Replace Runways/Anchors</td>
<td>10,000</td>
<td>10,000</td>
<td>10,000</td>
<td>-</td>
<td>(10,000)</td>
</tr>
<tr>
<td>Greenland</td>
<td>Air Force</td>
<td>Thule AB</td>
<td>Composite Medical Facility Replacement</td>
<td>10,800</td>
<td>10,800</td>
<td>10,800</td>
<td>-</td>
<td>10,800</td>
</tr>
<tr>
<td>Guam</td>
<td>Navy</td>
<td>RIMPAC Guam</td>
<td>Waterfront Utilities Improvements</td>
<td>14,800</td>
<td>14,800</td>
<td>14,800</td>
<td>-</td>
<td>14,800</td>
</tr>
<tr>
<td>Guam</td>
<td>Navy</td>
<td>NS Guam</td>
<td>BEQ Modernization</td>
<td>9,300</td>
<td>9,300</td>
<td>9,300</td>
<td>-</td>
<td>9,300</td>
</tr>
<tr>
<td>Guam</td>
<td>Air Force</td>
<td>Andersen AFB</td>
<td>Replace Security Forces Operations</td>
<td>5,600</td>
<td>5,600</td>
<td>5,600</td>
<td>-</td>
<td>5,600</td>
</tr>
<tr>
<td>Guam</td>
<td>DL A</td>
<td>Andersen AFB</td>
<td>Replace Hydros Fuel System</td>
<td>7,718</td>
<td>7,718</td>
<td>7,718</td>
<td>-</td>
<td>7,718</td>
</tr>
<tr>
<td>Guam</td>
<td>Air National Guard</td>
<td>Andersen AFB</td>
<td>Operations And Training Facility</td>
<td>7,438</td>
<td>7,438</td>
<td>7,438</td>
<td>-</td>
<td>7,438</td>
</tr>
<tr>
<td>Guam</td>
<td>Army National Guard</td>
<td>Hattarika</td>
<td>Readiness Center (Rt H)</td>
<td>2,820</td>
<td>2,820</td>
<td>2,820</td>
<td>-</td>
<td>2,820</td>
</tr>
<tr>
<td>Ireland</td>
<td>Navy</td>
<td>NAS Cetnica</td>
<td>Solid Waste Disposal Facility</td>
<td>3,060</td>
<td>3,060</td>
<td>3,060</td>
<td>-</td>
<td>3,060</td>
</tr>
<tr>
<td>Ireland</td>
<td>Air Force</td>
<td>NAS Sigonella</td>
<td>P-3 Support Facility</td>
<td>3,060</td>
<td>3,060</td>
<td>3,060</td>
<td>-</td>
<td>3,060</td>
</tr>
<tr>
<td>Italy</td>
<td>Air Force</td>
<td>Aviano AB</td>
<td>Detention Facility</td>
<td>8,200</td>
<td>8,200</td>
<td>8,200</td>
<td>-</td>
<td>8,200</td>
</tr>
<tr>
<td>Italy</td>
<td>Air Force</td>
<td>Aviano AB</td>
<td>Indoor Range Facility</td>
<td>3,647</td>
<td>3,647</td>
<td>3,647</td>
<td>-</td>
<td>3,647</td>
</tr>
<tr>
<td>Japan</td>
<td>Army</td>
<td>Camp Schwab</td>
<td>Aviano ES Classroom Addition</td>
<td>3,800</td>
<td>3,800</td>
<td>3,800</td>
<td>-</td>
<td>3,800</td>
</tr>
<tr>
<td>Japan</td>
<td>DLA</td>
<td>Yokota AB</td>
<td>Camp Schwab</td>
<td>3,800</td>
<td>3,800</td>
<td>3,800</td>
<td>-</td>
<td>3,800</td>
</tr>
<tr>
<td>Korea</td>
<td>Army</td>
<td>Camp Osan</td>
<td>Electrical Distribution System</td>
<td>13,000</td>
<td>13,000</td>
<td>13,000</td>
<td>-</td>
<td>13,000</td>
</tr>
<tr>
<td>Korea</td>
<td>Army</td>
<td>Camp Osan</td>
<td>Physical Fitness Training Center</td>
<td>5,600</td>
<td>5,600</td>
<td>5,600</td>
<td>-</td>
<td>5,600</td>
</tr>
<tr>
<td>Korea</td>
<td>Army</td>
<td>Camp Casey</td>
<td>Physical Fitness Training Center</td>
<td>5,600</td>
<td>5,600</td>
<td>5,600</td>
<td>-</td>
<td>5,600</td>
</tr>
<tr>
<td>Korea</td>
<td>Army</td>
<td>Camp Hovey</td>
<td>Vehicle Maintenance Facility</td>
<td>3,000</td>
<td>3,000</td>
<td>3,000</td>
<td>-</td>
<td>3,000</td>
</tr>
<tr>
<td>Korea</td>
<td>Army</td>
<td>Camp Hovey</td>
<td>Barracks Complex</td>
<td>2,750</td>
<td>2,750</td>
<td>2,750</td>
<td>-</td>
<td>2,750</td>
</tr>
<tr>
<td>Korea</td>
<td>Army</td>
<td>Camp Humphreys</td>
<td>Barracks Complex - Camp Humphreys</td>
<td>14,500</td>
<td>14,500</td>
<td>14,500</td>
<td>-</td>
<td>14,500</td>
</tr>
<tr>
<td>Korea</td>
<td>Army</td>
<td>Camp Humphreys</td>
<td>Camp Humphreys</td>
<td>6,140</td>
<td>6,140</td>
<td>6,140</td>
<td>-</td>
<td>6,140</td>
</tr>
</tbody>
</table>
### Fiscal Year 2002 Authorization of Appropriations for Military Construction

#### (Estimates in Thousands)

<table>
<thead>
<tr>
<th>Location</th>
<th>Service/Agency/Program</th>
<th>Installation</th>
<th>Projects/Items</th>
<th>FY2002 Request</th>
<th>House Authorized</th>
<th>Senate Authorized</th>
<th>Conference Change</th>
<th>Conference Agreement</th>
</tr>
</thead>
<tbody>
<tr>
<td>Korea</td>
<td>Army</td>
<td>Camp Stanley</td>
<td>Barracks Complex</td>
<td>20,000</td>
<td>20,000</td>
<td>20,000</td>
<td>12,000</td>
<td>12,000</td>
</tr>
<tr>
<td>Korea</td>
<td>Army</td>
<td>Yongam</td>
<td>Barracks Complex</td>
<td>12,000</td>
<td>12,000</td>
<td>12,000</td>
<td>12,000</td>
<td>12,000</td>
</tr>
<tr>
<td>Korea</td>
<td>Air Force</td>
<td>Kunsan AB</td>
<td>Additional Fitness Center</td>
<td>14,400</td>
<td>14,400</td>
<td>14,400</td>
<td>14,400</td>
<td>14,400</td>
</tr>
<tr>
<td>Korea</td>
<td>Air Force</td>
<td>Osan AB</td>
<td>Dormitory</td>
<td>15,800</td>
<td>15,800</td>
<td>15,800</td>
<td>15,800</td>
<td>15,800</td>
</tr>
<tr>
<td>Korea</td>
<td>Air Force</td>
<td>Osan AB</td>
<td>Office Dormitory</td>
<td>9,700</td>
<td>9,700</td>
<td>9,700</td>
<td>9,700</td>
<td>9,700</td>
</tr>
<tr>
<td>Korea</td>
<td>Air Force</td>
<td>Osan AB</td>
<td>Replace Base Civil Engineer Complex</td>
<td>36,000</td>
<td>36,000</td>
<td>36,000</td>
<td>(21,000)</td>
<td>15,000</td>
</tr>
<tr>
<td>Korea</td>
<td>Air Force</td>
<td>Osan AB</td>
<td>Replace Traffic Management FAc</td>
<td>5,925</td>
<td>5,925</td>
<td>5,925</td>
<td>5,925</td>
<td>5,925</td>
</tr>
<tr>
<td>Korea</td>
<td>Air Force</td>
<td>Osan AB</td>
<td>Replace Vehicle Ops Control/Adm FAc</td>
<td>2,000</td>
<td>2,000</td>
<td>2,000</td>
<td>2,000</td>
<td>2,000</td>
</tr>
<tr>
<td>Korea</td>
<td>Air Force</td>
<td>Osan AB</td>
<td>Vehicle Maintenance FAc</td>
<td>17,317</td>
<td>17,317</td>
<td>17,317</td>
<td>17,317</td>
<td>17,317</td>
</tr>
<tr>
<td>Korea</td>
<td>Air Force</td>
<td>Osan AB</td>
<td>Replace Fuel Storage FAc</td>
<td>5,500</td>
<td>5,500</td>
<td>5,500</td>
<td>5,500</td>
<td>5,500</td>
</tr>
<tr>
<td>Korea</td>
<td>Air Force</td>
<td>Osan AB</td>
<td>Cold Storage Warehouse</td>
<td>11,000</td>
<td>11,000</td>
<td>11,000</td>
<td>11,000</td>
<td>11,000</td>
</tr>
<tr>
<td>Kuwait</td>
<td>Air Force</td>
<td>Camp Aramy</td>
<td>Field Medical Center</td>
<td>4,000</td>
<td>4,000</td>
<td>4,000</td>
<td>4,000</td>
<td>4,000</td>
</tr>
<tr>
<td>Guam</td>
<td>Air Force</td>
<td>Nimitz Island</td>
<td>Naval Hospital</td>
<td>3,500</td>
<td>3,500</td>
<td>3,500</td>
<td>3,500</td>
<td>3,500</td>
</tr>
<tr>
<td>Portugal</td>
<td>CIA</td>
<td>Lajes Field, Azores</td>
<td>Airborne Early Warning</td>
<td>8,000</td>
<td>8,000</td>
<td>8,000</td>
<td>8,000</td>
<td>8,000</td>
</tr>
<tr>
<td>Spain</td>
<td>Navy</td>
<td>NS Rota</td>
<td>Aircraft Fire &amp; Rescue Addition</td>
<td>2,240</td>
<td>2,240</td>
<td>2,240</td>
<td>2,240</td>
<td>2,240</td>
</tr>
<tr>
<td>Spain</td>
<td>CIA</td>
<td>NS Rota</td>
<td>Marine Landing Area</td>
<td>3,000</td>
<td>3,000</td>
<td>3,000</td>
<td>3,000</td>
<td>3,000</td>
</tr>
<tr>
<td>Turkey</td>
<td>Air Force</td>
<td>Incirlik AB</td>
<td>Unaccompanied Support Facility</td>
<td>4,000</td>
<td>4,000</td>
<td>4,000</td>
<td>4,000</td>
<td>4,000</td>
</tr>
<tr>
<td>UK</td>
<td>Air Force</td>
<td>RAF Lakenheath</td>
<td>Barracks Complex</td>
<td>11,100</td>
<td>11,100</td>
<td>11,100</td>
<td>11,100</td>
<td>11,100</td>
</tr>
<tr>
<td>UK</td>
<td>Air Force</td>
<td>RAF Mildenhall</td>
<td>Avionics Maintenance Complex</td>
<td>10,800</td>
<td>10,800</td>
<td>10,800</td>
<td>10,800</td>
<td>10,800</td>
</tr>
<tr>
<td>UK</td>
<td>Air Force</td>
<td>RAF Mildenhall</td>
<td>Home Office</td>
<td>11,600</td>
<td>11,600</td>
<td>11,600</td>
<td>11,600</td>
<td>11,600</td>
</tr>
<tr>
<td>UK</td>
<td>Air Force</td>
<td>RAF Leuchars</td>
<td>RAF Leuchars MS Building</td>
<td>22,132</td>
<td>22,132</td>
<td>22,132</td>
<td>22,132</td>
<td>22,132</td>
</tr>
<tr>
<td>UK</td>
<td>Air Force</td>
<td>RAF Marham</td>
<td>Repair Aircraft Pavement</td>
<td>25,000</td>
<td>25,000</td>
<td>25,000</td>
<td>(15,000)</td>
<td>10,000</td>
</tr>
<tr>
<td>UK</td>
<td>Air Force</td>
<td>RAF Marham</td>
<td>Training Facility</td>
<td>4,000</td>
<td>4,000</td>
<td>4,000</td>
<td>4,000</td>
<td>4,000</td>
</tr>
<tr>
<td>UK</td>
<td>Air Force</td>
<td>RAF Marham</td>
<td>Tidal Miliitary Inland</td>
<td>4,158</td>
<td>4,158</td>
<td>4,158</td>
<td>4,158</td>
<td>4,158</td>
</tr>
<tr>
<td>World Wide Class</td>
<td>Air Force</td>
<td>RAF Mildenhall</td>
<td>Classified Location</td>
<td>4,000</td>
<td>4,000</td>
<td>4,000</td>
<td>4,000</td>
<td>4,000</td>
</tr>
<tr>
<td>World Wide Unspecified</td>
<td>Air Force</td>
<td>RAF Mildenhall</td>
<td>Classified Location</td>
<td>11,310</td>
<td>11,310</td>
<td>11,310</td>
<td>11,310</td>
<td>11,310</td>
</tr>
<tr>
<td>World Wide Unspecified</td>
<td>Air Force</td>
<td>RAF Leuchars</td>
<td>Classified Location</td>
<td>23,100</td>
<td>23,100</td>
<td>23,100</td>
<td>23,100</td>
<td>23,100</td>
</tr>
<tr>
<td>World Wide Unspecified</td>
<td>Air Force</td>
<td>RAF Marham</td>
<td>Classified Location</td>
<td>31,092</td>
<td>31,092</td>
<td>31,092</td>
<td>31,092</td>
<td>31,092</td>
</tr>
<tr>
<td>World Wide Unspecified</td>
<td>Air Force</td>
<td>RAF Marham</td>
<td>Classified Location</td>
<td>18,000</td>
<td>18,000</td>
<td>18,000</td>
<td>18,000</td>
<td>18,000</td>
</tr>
<tr>
<td>World Wide Unspecified</td>
<td>Air Force</td>
<td>RAF Marham</td>
<td>Classified Location</td>
<td>(36,168)</td>
<td>(36,168)</td>
<td>(36,168)</td>
<td>(36,168)</td>
<td>(36,168)</td>
</tr>
<tr>
<td>World Wide Unspecified</td>
<td>Air Force</td>
<td>RAF Marham</td>
<td>Classified Location</td>
<td>(36,168)</td>
<td>(36,168)</td>
<td>(36,168)</td>
<td>(36,168)</td>
<td>(36,168)</td>
</tr>
<tr>
<td>World Wide Unspecified</td>
<td>Air Force</td>
<td>RAF Marham</td>
<td>Classified Location</td>
<td>(36,168)</td>
<td>(36,168)</td>
<td>(36,168)</td>
<td>(36,168)</td>
<td>(36,168)</td>
</tr>
<tr>
<td>World Wide Unspecified</td>
<td>Air Force</td>
<td>RAF Marham</td>
<td>Classified Location</td>
<td>(36,168)</td>
<td>(36,168)</td>
<td>(36,168)</td>
<td>(36,168)</td>
<td>(36,168)</td>
</tr>
<tr>
<td>World Wide Unspecified</td>
<td>Air Force</td>
<td>RAF Marham</td>
<td>Classified Location</td>
<td>(36,168)</td>
<td>(36,168)</td>
<td>(36,168)</td>
<td>(36,168)</td>
<td>(36,168)</td>
</tr>
</tbody>
</table>

---

**NOTES:**

- Some values are rounded to the nearest thousand.
- The table includes all major military construction projects authorized in fiscal year 2002.
- Additional details are available in the full document for each location and project item.
### Fiscal Year 2002 Authorization of Appropriations for Military Construction

(Dollars in Thousands)

<table>
<thead>
<tr>
<th>Location</th>
<th>Service/Agency/Program</th>
<th>Installation</th>
<th>Project Title</th>
<th>FY 2002 Request</th>
<th>House Authorized</th>
<th>Senate Authorized</th>
<th>Change</th>
<th>Conference Apportion</th>
</tr>
</thead>
<tbody>
<tr>
<td>Worldwide Unspecified</td>
<td>Navy</td>
<td>Unspecified Worldwide</td>
<td>General Reduction (BRAC offset)</td>
<td>(60,000)</td>
<td>(60,000)</td>
<td>(60,000)</td>
<td></td>
<td>(60,000)</td>
</tr>
<tr>
<td>Worldwide Unspecified</td>
<td>Air Force</td>
<td>Unspecified Worldwide</td>
<td>Planning &amp; Design</td>
<td>(22,676)</td>
<td>(22,676)</td>
<td>(22,676)</td>
<td></td>
<td>(22,676)</td>
</tr>
<tr>
<td>Worldwide Unspecified</td>
<td>Air Force</td>
<td>Unspecified Worldwide</td>
<td>Unspecified Minor Construction</td>
<td>11,250</td>
<td>11,250</td>
<td>11,250</td>
<td></td>
<td>11,250</td>
</tr>
<tr>
<td>Worldwide Unspecified</td>
<td>Air Force</td>
<td>Unspecified Worldwide</td>
<td>General Reduction (BRAC offset)</td>
<td>(20,000)</td>
<td>(20,000)</td>
<td>(20,000)</td>
<td></td>
<td>(20,000)</td>
</tr>
<tr>
<td>Worldwide Unspecified</td>
<td>Air Force</td>
<td>Unspecified Worldwide</td>
<td>General Reduction (Omnibus offset)</td>
<td>(4,000)</td>
<td>(4,000)</td>
<td>(4,000)</td>
<td></td>
<td>(4,000)</td>
</tr>
<tr>
<td>Worldwide Unspecified</td>
<td>Defense Wide</td>
<td>Unspecified Worldwide</td>
<td>Recumbent Aruba FOR [R. 107-45]</td>
<td>(55,000)</td>
<td>(55,000)</td>
<td>(55,000)</td>
<td></td>
<td>(55,000)</td>
</tr>
<tr>
<td>Worldwide Unspecified</td>
<td>Defense Wide</td>
<td>Unspecified Worldwide</td>
<td>General Reduction (Omnibus offset)</td>
<td>(10,250)</td>
<td>(10,250)</td>
<td>(10,250)</td>
<td></td>
<td>(10,250)</td>
</tr>
<tr>
<td>Worldwide Unspecified</td>
<td>HIMEX</td>
<td>Unspecified Worldwide</td>
<td>Planning &amp; Design</td>
<td>6,390</td>
<td>6,390</td>
<td>6,390</td>
<td></td>
<td>6,390</td>
</tr>
<tr>
<td>Worldwide Unspecified</td>
<td>HIMEX</td>
<td>Unspecified Worldwide</td>
<td>Unspecified Minor Construction</td>
<td>2,009</td>
<td>2,009</td>
<td>2,009</td>
<td></td>
<td>2,009</td>
</tr>
<tr>
<td>Worldwide Unspecified</td>
<td>HA</td>
<td>Unspecified Worldwide</td>
<td>Planning &amp; Design</td>
<td>6,318</td>
<td>6,318</td>
<td>6,318</td>
<td></td>
<td>6,318</td>
</tr>
<tr>
<td>Worldwide Unspecified</td>
<td>Ha</td>
<td>Unspecified Worldwide</td>
<td>Planning &amp; Design</td>
<td>3,300</td>
<td>3,300</td>
<td>3,300</td>
<td></td>
<td>3,300</td>
</tr>
<tr>
<td>Worldwide Unspecified</td>
<td>SICMA</td>
<td>Unspecified Worldwide</td>
<td>General Reduction (Omnibus offset)</td>
<td>1,903</td>
<td>1,903</td>
<td>1,903</td>
<td></td>
<td>1,903</td>
</tr>
<tr>
<td>Worldwide Unspecified</td>
<td>SICMA</td>
<td>Unspecified Worldwide</td>
<td>Planning &amp; Design</td>
<td>4,861</td>
<td>4,861</td>
<td>4,861</td>
<td></td>
<td>4,861</td>
</tr>
<tr>
<td>Worldwide Unspecified</td>
<td>OSD Contingencies</td>
<td>Unspecified Worldwide</td>
<td>Contingency Construction</td>
<td>10,000</td>
<td>10,000</td>
<td>10,000</td>
<td></td>
<td>10,000</td>
</tr>
<tr>
<td>Worldwide Unspecified</td>
<td>OSD Planning &amp; Design</td>
<td>Unspecified Worldwide</td>
<td>Planning &amp; Design</td>
<td>20,000</td>
<td>20,000</td>
<td>20,000</td>
<td>(10,000)</td>
<td>10,000</td>
</tr>
<tr>
<td>Worldwide Unspecified</td>
<td>GS</td>
<td>Unspecified Worldwide</td>
<td>Foreign Currency Savings</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>(17,851)</td>
</tr>
<tr>
<td>Worldwide Unspecified</td>
<td>Defense Agencies</td>
<td>Unspecified Worldwide</td>
<td>General Reduction</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>(17,851)</td>
</tr>
<tr>
<td>Worldwide Unspecified</td>
<td>Defense Agencies</td>
<td>Unspecified Worldwide</td>
<td>Unspecified Minor Construction</td>
<td>1,500</td>
<td>1,500</td>
<td>1,500</td>
<td></td>
<td>1,500</td>
</tr>
<tr>
<td>Worldwide Unspecified</td>
<td>DAS</td>
<td>Unspecified Worldwide</td>
<td>Planning &amp; Design</td>
<td>6,305</td>
<td>6,305</td>
<td>6,305</td>
<td></td>
<td>6,305</td>
</tr>
<tr>
<td>Worldwide Unspecified</td>
<td>DAS</td>
<td>Unspecified Worldwide</td>
<td>Unspecified Minor Construction</td>
<td>1,398</td>
<td>1,398</td>
<td>1,398</td>
<td></td>
<td>1,398</td>
</tr>
<tr>
<td>Worldwide Unspecified</td>
<td>DAS</td>
<td>Unspecified Worldwide</td>
<td>Planning &amp; Design</td>
<td>4,249</td>
<td>4,249</td>
<td>4,249</td>
<td></td>
<td>4,249</td>
</tr>
<tr>
<td>Worldwide Unspecified</td>
<td>DAS</td>
<td>Unspecified Worldwide</td>
<td>Planning &amp; Design</td>
<td>2,400</td>
<td>2,400</td>
<td>2,400</td>
<td></td>
<td>2,400</td>
</tr>
<tr>
<td>Worldwide Unspecified</td>
<td>DAS</td>
<td>Unspecified Worldwide</td>
<td>Planning &amp; Design</td>
<td>26,300</td>
<td>26,300</td>
<td>26,300</td>
<td></td>
<td>26,300</td>
</tr>
<tr>
<td>Worldwide Unspecified</td>
<td>DAS</td>
<td>Unspecified Worldwide</td>
<td>Unspecified Minor Construction</td>
<td>5,526</td>
<td>5,526</td>
<td>5,526</td>
<td></td>
<td>5,526</td>
</tr>
<tr>
<td>Worldwide Unspecified</td>
<td>DAS</td>
<td>Unspecified Worldwide</td>
<td>Planning &amp; Design</td>
<td>700</td>
<td>700</td>
<td>700</td>
<td></td>
<td>700</td>
</tr>
<tr>
<td>Worldwide Unspecified</td>
<td>DAS</td>
<td>Unspecified Worldwide</td>
<td>Planning &amp; Design</td>
<td>12,866</td>
<td>12,866</td>
<td>12,866</td>
<td>(10,000)</td>
<td>(10,000)</td>
</tr>
<tr>
<td>Worldwide Unspecified</td>
<td>DAS</td>
<td>Unspecified Worldwide</td>
<td>Planning &amp; Design</td>
<td>25,794</td>
<td>25,794</td>
<td>25,794</td>
<td>9,900</td>
<td>35,694</td>
</tr>
<tr>
<td>Worldwide Unspecified</td>
<td>DAS</td>
<td>Unspecified Worldwide</td>
<td>Planning &amp; Design</td>
<td>4,671</td>
<td>4,671</td>
<td>4,671</td>
<td></td>
<td>4,671</td>
</tr>
<tr>
<td>Location</td>
<td>Service Agency/Program</td>
<td>Location</td>
<td>Service Agency/Program</td>
<td>Project Title</td>
<td>FY2002 Request</td>
<td>House Authorized</td>
<td>Senate Authorized</td>
<td>Conference Change</td>
</tr>
<tr>
<td>------------------</td>
<td>--------------------------------</td>
<td>------------------</td>
<td>--------------------------------</td>
<td>----------------------------------</td>
<td>----------------</td>
<td>------------------</td>
<td>-------------------</td>
<td>-------------------</td>
</tr>
<tr>
<td>Worldwide Unspecified</td>
<td>Air National Guard</td>
<td>Worldwide Unspecified</td>
<td>Air National Guard</td>
<td>Planning And Design</td>
<td>3,912</td>
<td>5,672</td>
<td>7,932</td>
<td>5,120</td>
</tr>
<tr>
<td>Worldwide Unspecified</td>
<td>Army Reserve</td>
<td>Worldwide Unspecified</td>
<td>Army Reserve</td>
<td>Unspecified Minor Construction</td>
<td>5,000</td>
<td>5,000</td>
<td>5,000</td>
<td>5,000</td>
</tr>
<tr>
<td>Worldwide Unspecified</td>
<td>Navy Reserve</td>
<td>Worldwide Unspecified</td>
<td>Navy Reserve</td>
<td>Planning And Design</td>
<td>8,024</td>
<td>10,034</td>
<td>8,024</td>
<td>2,000</td>
</tr>
<tr>
<td>Worldwide Unspecified</td>
<td>Air Force Reserve</td>
<td>Worldwide Unspecified</td>
<td>Air Force Reserve</td>
<td>Ground Reduction Planning and Design [HRAC]</td>
<td>1,176</td>
<td>2,176</td>
<td>1,176</td>
<td>1,176</td>
</tr>
<tr>
<td>Worldwide Unspecified</td>
<td>Air Force Reserve</td>
<td>Worldwide Unspecified</td>
<td>Air Force Reserve</td>
<td>Unspecified Minor Construction</td>
<td>4,996</td>
<td>4,996</td>
<td>4,996</td>
<td>4,996</td>
</tr>
<tr>
<td>Worldwide Unspecified</td>
<td>Air Force Reserve</td>
<td>Worldwide Unspecified</td>
<td>Air Force Reserve</td>
<td>Planning And Design</td>
<td>4,336</td>
<td>5,836</td>
<td>4,336</td>
<td>300</td>
</tr>
<tr>
<td>Worldwide Unspecified</td>
<td>Air Reserve Reserve</td>
<td>Worldwide Unspecified</td>
<td>Air Reserve Reserve</td>
<td>Base Realignment and Closure IV</td>
<td>532,200</td>
<td>532,200</td>
<td>592,200</td>
<td>100,513</td>
</tr>
<tr>
<td>Worldwide Unspecified</td>
<td>Energy Conservation Program</td>
<td>Worldwide Unspecified</td>
<td>Energy Conservation Program</td>
<td>Energy Conservation Improvement Program</td>
<td>35,600</td>
<td>35,600</td>
<td>35,600</td>
<td>(8,500)</td>
</tr>
<tr>
<td>Worldwide Unspecified</td>
<td>NATO Sec Invest Program</td>
<td>Worldwide Unspecified</td>
<td>NATO Sec Invest Program</td>
<td>NATO Security Investors Program</td>
<td>162,600</td>
<td>162,600</td>
<td>162,600</td>
<td>162,600</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Location</th>
<th>Service Agency/Program</th>
<th>Location</th>
<th>Service Agency/Program</th>
<th>Project Title</th>
<th>FY2002 Request</th>
<th>House Authorized</th>
<th>Senate Authorized</th>
<th>Conference Change</th>
<th>Conference Agreement</th>
</tr>
</thead>
<tbody>
<tr>
<td>Alaska</td>
<td>Army</td>
<td>Alaska</td>
<td>Army</td>
<td>Fort Wainwright</td>
<td>12,000</td>
<td>12,000</td>
<td>12,000</td>
<td>12,000</td>
<td>12,000</td>
</tr>
<tr>
<td>Arizona</td>
<td>Army</td>
<td>Arizona</td>
<td>Army</td>
<td>Fort Huachuca</td>
<td>10,800</td>
<td>10,800</td>
<td>10,800</td>
<td>10,800</td>
<td>10,800</td>
</tr>
<tr>
<td>Arizona</td>
<td>Navy</td>
<td>Arizona</td>
<td>Navy</td>
<td>MCAS Yuma</td>
<td>9,017</td>
<td>9,017</td>
<td>9,017</td>
<td>9,017</td>
<td>9,017</td>
</tr>
<tr>
<td>California</td>
<td>Navy</td>
<td>California</td>
<td>Navy</td>
<td>MAGTF(TF) Twentynine Palms</td>
<td>16,250</td>
<td>16,250</td>
<td>16,250</td>
<td>16,250</td>
<td>16,250</td>
</tr>
<tr>
<td>Colorado</td>
<td>Air Force</td>
<td>Colorado</td>
<td>Air Force</td>
<td>Travis AFB</td>
<td>18,150</td>
<td>18,150</td>
<td>18,150</td>
<td>18,150</td>
<td>18,150</td>
</tr>
<tr>
<td>Delaware</td>
<td>Air Force</td>
<td>Delaware</td>
<td>Air Force</td>
<td>Delaware Air Force</td>
<td>11,400</td>
<td>11,400</td>
<td>11,400</td>
<td>11,400</td>
<td>11,400</td>
</tr>
<tr>
<td>District of Columbia</td>
<td>Air Force</td>
<td>District of Columbia</td>
<td>Air Force</td>
<td>Belvoir AFB</td>
<td>18,145</td>
<td>18,145</td>
<td>18,145</td>
<td>18,145</td>
<td>18,145</td>
</tr>
<tr>
<td>Georgia</td>
<td>Army</td>
<td>Georgia</td>
<td>Army</td>
<td>Fort Stewart</td>
<td>16,926</td>
<td>16,926</td>
<td>16,926</td>
<td>16,926</td>
<td>16,926</td>
</tr>
<tr>
<td>Hawaii</td>
<td>Army</td>
<td>Hawaii</td>
<td>Army</td>
<td>Mt. B Kanolii</td>
<td>46,996</td>
<td>46,996</td>
<td>55,187</td>
<td>46,996</td>
<td>46,996</td>
</tr>
<tr>
<td>Hawaii</td>
<td>Navy</td>
<td>Hawaii</td>
<td>Navy</td>
<td>NS Pearl Harbor</td>
<td>16,827</td>
<td>16,827</td>
<td>16,827</td>
<td>16,827</td>
<td>16,827</td>
</tr>
<tr>
<td>Hawaii</td>
<td>Air Force</td>
<td>Hawaii</td>
<td>Air Force</td>
<td>Hickam AFB</td>
<td>25,037</td>
<td>25,037</td>
<td>25,037</td>
<td>25,037</td>
<td>25,037</td>
</tr>
<tr>
<td>Idaho</td>
<td>Army</td>
<td>Idaho</td>
<td>Army</td>
<td>Mountain Home AFB</td>
<td>10,000</td>
<td>10,000</td>
<td>20,000</td>
<td>10,000</td>
<td>20,000</td>
</tr>
<tr>
<td>Kansas</td>
<td>Army</td>
<td>Kansas</td>
<td>Army</td>
<td>Fort Leavenworth</td>
<td>7,300</td>
<td>7,300</td>
<td>7,300</td>
<td>7,300</td>
<td>7,300</td>
</tr>
<tr>
<td>Mississippi</td>
<td>Navy</td>
<td>Mississippi</td>
<td>Navy</td>
<td>NCHIC Gulfport</td>
<td>11,700</td>
<td>11,700</td>
<td>11,700</td>
<td>11,700</td>
<td>11,700</td>
</tr>
<tr>
<td>South Dakota</td>
<td>Air Force</td>
<td>South Dakota</td>
<td>Air Force</td>
<td>Ellsworth AFB</td>
<td>11,600</td>
<td>11,600</td>
<td>11,600</td>
<td>11,600</td>
<td>11,600</td>
</tr>
<tr>
<td>Texas</td>
<td>Army</td>
<td>Texas</td>
<td>Army</td>
<td>Fort Bliss</td>
<td>12,000</td>
<td>12,000</td>
<td>12,000</td>
<td>12,000</td>
<td>12,000</td>
</tr>
<tr>
<td>Texas</td>
<td>Airy</td>
<td>Texas</td>
<td>Airy</td>
<td>Fort Sam Houston</td>
<td>1,200</td>
<td>1,200</td>
<td>1,200</td>
<td>1,200</td>
<td>1,200</td>
</tr>
<tr>
<td>Virginia</td>
<td>Air Force</td>
<td>Virginia</td>
<td>Air Force</td>
<td>Lagrange AFB</td>
<td>10,000</td>
<td>10,000</td>
<td>10,000</td>
<td>7,000</td>
<td>7,000</td>
</tr>
<tr>
<td>Virginia</td>
<td>Navy</td>
<td>Virginia</td>
<td>Navy</td>
<td>HEC/DC Quantico</td>
<td>1,200</td>
<td>1,200</td>
<td>1,200</td>
<td>1,200</td>
<td>1,200</td>
</tr>
</tbody>
</table>
Fiscal Year 2002 Authorization of Appropriations for Military Construction

<table>
<thead>
<tr>
<th>Location</th>
<th>Service/Agency/Program</th>
<th>Installation</th>
<th>Project Title</th>
<th>FY2002 Request</th>
<th>House Authorized</th>
<th>Senate Authorized</th>
<th>Conference Change</th>
<th>Conference Agreement</th>
</tr>
</thead>
<tbody>
<tr>
<td>Italy</td>
<td>Navy</td>
<td>HSS Segovia</td>
<td>Replacement Construction (10 units)</td>
<td>2,403</td>
<td>2,403</td>
<td>2,403</td>
<td></td>
<td>2,403</td>
</tr>
<tr>
<td>Korea</td>
<td>Army</td>
<td>Camp Humphreys</td>
<td>New Construction (54 units)</td>
<td>12,800</td>
<td>12,800</td>
<td>12,800</td>
<td></td>
<td>12,800</td>
</tr>
<tr>
<td>Portugal</td>
<td>Air Force</td>
<td>Unspecified Area</td>
<td>Replace Family Housing (84 units)</td>
<td>13,200</td>
<td>13,200</td>
<td>13,200</td>
<td></td>
<td>13,200</td>
</tr>
<tr>
<td>Worldwide</td>
<td>Unspecified</td>
<td>Army</td>
<td>Construction Improvements</td>
<td>220,750</td>
<td>220,750</td>
<td>220,750</td>
<td></td>
<td>220,750</td>
</tr>
<tr>
<td>Worldwide</td>
<td>Unspecified</td>
<td>Army</td>
<td>Planning And Design</td>
<td>11,592</td>
<td>11,592</td>
<td>11,592</td>
<td></td>
<td>11,592</td>
</tr>
<tr>
<td>Worldwide</td>
<td>Unspecified</td>
<td>Army</td>
<td>Furnishings Account</td>
<td>43,546</td>
<td>43,546</td>
<td>43,546</td>
<td></td>
<td>43,546</td>
</tr>
<tr>
<td>Worldwide</td>
<td>Unspecified</td>
<td>Army</td>
<td>Housing Privatization Support Cost</td>
<td>27,918</td>
<td>27,918</td>
<td>27,918</td>
<td>(7,918)</td>
<td>20,000</td>
</tr>
<tr>
<td>Worldwide</td>
<td>Unspecified</td>
<td>Army</td>
<td>Leasing</td>
<td>196,956</td>
<td>196,956</td>
<td>196,956</td>
<td></td>
<td>196,956</td>
</tr>
<tr>
<td>Worldwide</td>
<td>Unspecified</td>
<td>Army</td>
<td>Maintenance Account</td>
<td>416,806</td>
<td>416,806</td>
<td>416,806</td>
<td>(500)</td>
<td>416,306</td>
</tr>
<tr>
<td>Worldwide</td>
<td>Unspecified</td>
<td>Army</td>
<td>Management Account</td>
<td>82,177</td>
<td>82,177</td>
<td>82,177</td>
<td></td>
<td>82,177</td>
</tr>
<tr>
<td>Worldwide</td>
<td>Unspecified</td>
<td>Army</td>
<td>Miscellaneous Account</td>
<td>1,277</td>
<td>1,277</td>
<td>1,277</td>
<td></td>
<td>1,277</td>
</tr>
<tr>
<td>Worldwide</td>
<td>Unspecified</td>
<td>Army</td>
<td>Servicemen's Mortgage Insurance Premium</td>
<td>1</td>
<td>1</td>
<td>1</td>
<td></td>
<td>1</td>
</tr>
<tr>
<td>Worldwide</td>
<td>Unspecified</td>
<td>Army</td>
<td>Services Account</td>
<td>49,520</td>
<td>49,520</td>
<td>49,520</td>
<td></td>
<td>49,520</td>
</tr>
<tr>
<td>Worldwide</td>
<td>Unspecified</td>
<td>Army</td>
<td>Utility Account</td>
<td>258,790</td>
<td>258,790</td>
<td>258,790</td>
<td>(11,000)</td>
<td>247,790</td>
</tr>
<tr>
<td>Worldwide</td>
<td>Unspecified</td>
<td>Army</td>
<td>Foreign Currency fluctuation</td>
<td>(56,379)</td>
<td>-</td>
<td>-</td>
<td></td>
<td>-</td>
</tr>
<tr>
<td>Worldwide</td>
<td>Unspecified</td>
<td>Army</td>
<td>Foreign Currency fluctuation</td>
<td>(18,183)</td>
<td>-</td>
<td>-</td>
<td></td>
<td>-</td>
</tr>
<tr>
<td>Worldwide</td>
<td>Unspecified</td>
<td>Navy</td>
<td>Construction Improvements</td>
<td>183,054</td>
<td>183,054</td>
<td>183,054</td>
<td>20,380</td>
<td>162,674</td>
</tr>
<tr>
<td>Worldwide</td>
<td>Unspecified</td>
<td>Navy</td>
<td>Planning And Design</td>
<td>6,499</td>
<td>6,499</td>
<td>6,499</td>
<td></td>
<td>6,499</td>
</tr>
<tr>
<td>Worldwide</td>
<td>Unspecified</td>
<td>Navy</td>
<td>Furnishings Account</td>
<td>32,701</td>
<td>32,701</td>
<td>32,701</td>
<td></td>
<td>32,701</td>
</tr>
<tr>
<td>Worldwide</td>
<td>Unspecified</td>
<td>Navy</td>
<td>Housing Privatization Support Cost</td>
<td>4,100</td>
<td>4,100</td>
<td>4,100</td>
<td></td>
<td>4,100</td>
</tr>
<tr>
<td>Worldwide</td>
<td>Unspecified</td>
<td>Navy</td>
<td>Leasing</td>
<td>123,965</td>
<td>123,965</td>
<td>123,965</td>
<td></td>
<td>123,965</td>
</tr>
<tr>
<td>Worldwide</td>
<td>Unspecified</td>
<td>Navy</td>
<td>Management Account</td>
<td>85,533</td>
<td>85,533</td>
<td>85,533</td>
<td></td>
<td>85,533</td>
</tr>
<tr>
<td>Worldwide</td>
<td>Unspecified</td>
<td>Navy</td>
<td>Miscellaneous Account</td>
<td>1200</td>
<td>1200</td>
<td>1200</td>
<td></td>
<td>1200</td>
</tr>
<tr>
<td>Worldwide</td>
<td>Unspecified</td>
<td>Navy</td>
<td>Servicemen's Mortgage Insurance Premium</td>
<td>68</td>
<td>68</td>
<td>68</td>
<td></td>
<td>68</td>
</tr>
<tr>
<td>Worldwide</td>
<td>Unspecified</td>
<td>Navy</td>
<td>Services Account</td>
<td>65,787</td>
<td>65,787</td>
<td>65,787</td>
<td></td>
<td>65,787</td>
</tr>
<tr>
<td>Worldwide</td>
<td>Unspecified</td>
<td>Navy</td>
<td>Foreign Currency fluctuation</td>
<td>(13,218)</td>
<td>-</td>
<td>-</td>
<td></td>
<td>-</td>
</tr>
<tr>
<td>Worldwide</td>
<td>Unspecified</td>
<td>Navy</td>
<td>Foreign Currency fluctuation</td>
<td>(414)</td>
<td>-</td>
<td>-</td>
<td></td>
<td>-</td>
</tr>
<tr>
<td>Worldwide</td>
<td>Unspecified</td>
<td>Air Force</td>
<td>Construction Improvements</td>
<td>352,879</td>
<td>352,879</td>
<td>352,879</td>
<td></td>
<td>352,879</td>
</tr>
<tr>
<td>Worldwide</td>
<td>Unspecified</td>
<td>Air Force</td>
<td>Planning And Foreign</td>
<td>24,558</td>
<td>24,558</td>
<td>24,558</td>
<td></td>
<td>24,558</td>
</tr>
<tr>
<td>Worldwide</td>
<td>Unspecified</td>
<td>Air Force</td>
<td>Furnishings Account</td>
<td>36,619</td>
<td>36,619</td>
<td>36,619</td>
<td></td>
<td>36,619</td>
</tr>
<tr>
<td>Worldwide</td>
<td>Unspecified</td>
<td>Air Force</td>
<td>Leasing</td>
<td>102,919</td>
<td>102,919</td>
<td>102,919</td>
<td></td>
<td>102,919</td>
</tr>
<tr>
<td>Location</td>
<td>Service/Agency/Program</td>
<td>Installation</td>
<td>Project Title</td>
<td>FY 2002 Budget</td>
<td>House Appropriation</td>
<td>Senate Appropriation</td>
<td>Conference Change</td>
<td>Conference Appropriation</td>
</tr>
<tr>
<td>----------------</td>
<td>-------------------------------</td>
<td>-------------------------------</td>
<td>----------------------------------------------------</td>
<td>-----------------</td>
<td>----------------------</td>
<td>----------------------</td>
<td>---------------------</td>
<td>------------------------</td>
</tr>
<tr>
<td>Worldwide Unspecified</td>
<td>Air Force</td>
<td>Unspecified Worldwide</td>
<td>Management Account</td>
<td>50,224</td>
<td>55,645</td>
<td>58,224</td>
<td>58,224</td>
<td>58,224</td>
</tr>
<tr>
<td>Worldwide Unspecified</td>
<td>Air Force</td>
<td>Unspecified Worldwide</td>
<td>Miscellaneous</td>
<td>2,184</td>
<td>2,312</td>
<td>2,184</td>
<td>2,184</td>
<td>2,184</td>
</tr>
<tr>
<td>Worldwide Unspecified</td>
<td>DLA</td>
<td>Unspecified Worldwide</td>
<td>Furnishings Account</td>
<td>3,630</td>
<td>3,630</td>
<td>3,630</td>
<td>3,630</td>
<td>3,630</td>
</tr>
<tr>
<td>Worldwide Unspecified</td>
<td>DLA</td>
<td>Unspecified Worldwide</td>
<td>Leasing</td>
<td>25,600</td>
<td>25,600</td>
<td>25,600</td>
<td>25,600</td>
<td>25,600</td>
</tr>
<tr>
<td>Worldwide Unspecified</td>
<td>DLA</td>
<td>Unspecified Worldwide</td>
<td>Construction Improvements</td>
<td>250</td>
<td>250</td>
<td>250</td>
<td>250</td>
<td>250</td>
</tr>
<tr>
<td>Worldwide Unspecified</td>
<td>DLA</td>
<td>Unspecified Worldwide</td>
<td>Furnishings</td>
<td>30</td>
<td>30</td>
<td>30</td>
<td>30</td>
<td>30</td>
</tr>
<tr>
<td>Worldwide Unspecified</td>
<td>DLA</td>
<td>Unspecified Worldwide</td>
<td>Maintenance Account</td>
<td>359</td>
<td>359</td>
<td>359</td>
<td>359</td>
<td>359</td>
</tr>
<tr>
<td>Worldwide Unspecified</td>
<td>DLA</td>
<td>Unspecified Worldwide</td>
<td>Management Account</td>
<td>292</td>
<td>292</td>
<td>292</td>
<td>292</td>
<td>292</td>
</tr>
<tr>
<td>Worldwide Unspecified</td>
<td>DLA</td>
<td>Unspecified Worldwide</td>
<td>Services Account</td>
<td>78</td>
<td>78</td>
<td>78</td>
<td>78</td>
<td>78</td>
</tr>
<tr>
<td>Worldwide Unspecified</td>
<td>DLA</td>
<td>Unspecified Worldwide</td>
<td>Utilities Account</td>
<td>428</td>
<td>428</td>
<td>428</td>
<td>428</td>
<td>428</td>
</tr>
<tr>
<td>Worldwide Unspecified</td>
<td>HSA</td>
<td>Unspecified Worldwide</td>
<td>Furnishings Account</td>
<td>139</td>
<td>139</td>
<td>139</td>
<td>139</td>
<td>139</td>
</tr>
<tr>
<td>Worldwide Unspecified</td>
<td>HSA</td>
<td>Unspecified Worldwide</td>
<td>Leasing</td>
<td>11,698</td>
<td>11,698</td>
<td>11,698</td>
<td>11,698</td>
<td>11,698</td>
</tr>
<tr>
<td>Worldwide Unspecified</td>
<td>HSA</td>
<td>Unspecified Worldwide</td>
<td>Maintenance Account</td>
<td>658</td>
<td>658</td>
<td>658</td>
<td>658</td>
<td>658</td>
</tr>
<tr>
<td>Worldwide Unspecified</td>
<td>HSA</td>
<td>Unspecified Worldwide</td>
<td>Management Account</td>
<td>35</td>
<td>35</td>
<td>35</td>
<td>35</td>
<td>35</td>
</tr>
<tr>
<td>Worldwide Unspecified</td>
<td>HSA</td>
<td>Unspecified Worldwide</td>
<td>Miscellaneous Account</td>
<td>57</td>
<td>57</td>
<td>57</td>
<td>57</td>
<td>57</td>
</tr>
<tr>
<td>Worldwide Unspecified</td>
<td>HSA</td>
<td>Unspecified Worldwide</td>
<td>Services Account</td>
<td>374</td>
<td>374</td>
<td>374</td>
<td>374</td>
<td>374</td>
</tr>
<tr>
<td>Worldwide Unspecified</td>
<td>HSA</td>
<td>Unspecified Worldwide</td>
<td>Utilities Account</td>
<td>614</td>
<td>614</td>
<td>614</td>
<td>614</td>
<td>614</td>
</tr>
<tr>
<td>Worldwide Unspecified</td>
<td>Family Housing Fund</td>
<td>Unspecified Worldwide</td>
<td>Family Housing Improvement Fund</td>
<td>2,000</td>
<td>2,000</td>
<td>2,000</td>
<td>2,000</td>
<td>2,000</td>
</tr>
<tr>
<td>Worldwide Unspecified</td>
<td>Homewoners' Assistance Fund</td>
<td>Unspecified Worldwide</td>
<td>Homeowners Assistance Program</td>
<td>10,319</td>
<td>10,319</td>
<td>10,319</td>
<td>10,319</td>
<td>10,319</td>
</tr>
<tr>
<td>Worldwide Unspecified</td>
<td>General Provisions</td>
<td>Unspecified Worldwide</td>
<td>Reduction Foreign Currency [FY 107-64]</td>
<td>(60,000)</td>
<td>(60,000)</td>
<td>(60,000)</td>
<td>(60,000)</td>
<td>(60,000)</td>
</tr>
<tr>
<td>Worldwide Unspecified</td>
<td>General Provisions</td>
<td>Unspecified Worldwide</td>
<td>General Reduction</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Total Military Construction</td>
<td></td>
<td></td>
<td></td>
<td>7,904,795</td>
<td>6,359,143</td>
<td>6,309,371</td>
<td>559,466</td>
<td>6,461,161</td>
</tr>
<tr>
<td>Total Family Housing</td>
<td></td>
<td></td>
<td></td>
<td>4,066,517</td>
<td>3,965,169</td>
<td>4,131,362</td>
<td>29,332</td>
<td>4,095,199</td>
</tr>
<tr>
<td>Total Foreign Currency/General Reduction</td>
<td></td>
<td></td>
<td></td>
<td>(60,000)</td>
<td>(60,000)</td>
<td>(60,000)</td>
<td></td>
<td>(60,000)</td>
</tr>
<tr>
<td>Total Military/Family Housing/General Reduction</td>
<td></td>
<td></td>
<td></td>
<td>9,971,312</td>
<td>10,324,312</td>
<td>10,430,531</td>
<td>539,758</td>
<td>10,400,000</td>
</tr>
</tbody>
</table>
The Senate bill contained a provision (sec. 2101) that would authorize new construction and family housing projects for fiscal year 2002.

The Senate bill contained a provision (sec. 2101) that would authorize military construction projects for fiscal year 2002.

The Senate bill contained a provision (sec. 2102) that would authorize improvements to existing units of family housing for fiscal year 2002.

The House amendment contained a similar provision (sec. 2103).

The conference agreement includes this provision.

The Senate bill contained a provision (sec. 2104) that would amend the Military Construction Authorization Act for Fiscal Year 2001 (division B of the National Defense Authorization Act for Fiscal Year 2001) that would authorize specific appropriations at each location for the construction projects authorized by this Act and upon completion consider naming the facility for the recently retired former Chairman of the Joint Chiefs of Staff, General Hugh Shelton.

The conference agreement includes this provision.

The Senate bill contained a provision (sec. 2105) that would authorize specific appropriations for the construction projects inside the United States from $811,497,000 to $803,217,000.

The House amendment contained a similar provision (sec. 2106).

The conference agreement includes this provision.

The Senate amendment contained a provision (sec. 2107) that would authorize Army construction and land acquisitions for fiscal year 2002.

The conference agreement includes this provision.

The Senate bill contained a provision (sec. 2108) that would authorize specific appropriations for the facilities for military construction projects inside the United States.

The conference agreement includes this provision.

The Senate bill contained a provision (sec. 2109) that would authorize the Secretary of the Army to accelerate this important project and upon completion consider naming the facility for the recently retired former Chairman of the Joint Chiefs of Staff, General Hugh Shelton.

The conference agreement includes this provision.

The Senate bill contained a provision (sec. 2110) that would authorize specific appropriations for the Fort Drum, New York, and for Naval Station, Fort Worth, Texas, and for the construction projects authorized by this Act.

The conference agreement includes this provision.

The Senate bill contained a provision (sec. 2111) that would authorize specific appropriations for the House amendment contained a provision (sec. 2112) that would authorize specific appropriations for the construction projects authorized by this Act.

The conference agreement includes this provision.

The Senate bill contained a provision (sec. 2113) that would authorize specific appropriations for the construction projects authorized by this Act.

The conference agreement includes this provision.

The Senate bill contained a provision (sec. 2114) that would authorize specific appropriations for the construction projects authorized by this Act.

The conference agreement includes this provision.

The Senate bill contained a provision (sec. 2115) that would authorize specific appropriations for the construction projects authorized by this Act.

The conference agreement includes this provision.

The Senate bill contained a provision (sec. 2116) that would authorize specific appropriations for the construction projects authorized by this Act.

The conference agreement includes this provision.

The Senate bill contained a provision (sec. 2117) that would authorize specific appropriations for the construction projects authorized by this Act.

The conference agreement includes this provision.

The Senate bill contained a provision (sec. 2118) that would authorize specific appropriations for the construction projects authorized by this Act.

The conference agreement includes this provision.

The Senate bill contained a provision (sec. 2119) that would authorize specific appropriations for the construction projects authorized by this Act.

The conference agreement includes this provision.

The Senate bill contained a provision (sec. 2120) that would authorize specific appropriations for the construction projects authorized by this Act.

The conference agreement includes this provision.

The Senate bill contained a provision (sec. 2121) that would authorize specific appropriations for the construction projects authorized by this Act.

The conference agreement includes this provision.

The Senate bill contained a provision (sec. 2122) that would authorize specific appropriations for the construction projects authorized by this Act.

The conference agreement includes this provision.

The Senate bill contained a provision (sec. 2123) that would authorize specific appropriations for the construction projects authorized by this Act.

The conference agreement includes this provision.

The Senate bill contained a provision (sec. 2124) that would authorize specific appropriations for the construction projects authorized by this Act.

The conference agreement includes this provision.

The Senate bill contained a provision (sec. 2125) that would authorize specific appropriations for the construction projects authorized by this Act.

The conference agreement includes this provision.

The Senate bill contained a provision (sec. 2126) that would authorize specific appropriations for the construction projects authorized by this Act.

The conference agreement includes this provision.

The Senate bill contained a provision (sec. 2127) that would authorize specific appropriations for the construction projects authorized by this Act.

The conference agreement includes this provision.

The Senate bill contained a provision (sec. 2128) that would authorize specific appropriations for the construction projects authorized by this Act.

The conference agreement includes this provision.

The Senate bill contained a provision (sec. 2129) that would authorize specific appropriations for the construction projects authorized by this Act.

The conference agreement includes this provision.

The Senate bill contained a provision (sec. 2130) that would authorize specific appropriations for the construction projects authorized by this Act.

The conference agreement includes this provision.

The Senate bill contained a provision (sec. 2131) that would authorize specific appropriations for the construction projects authorized by this Act.

The conference agreement includes this provision.

The Senate bill contained a provision (sec. 2132) that would authorize specific appropriations for the construction projects authorized by this Act.

The conference agreement includes this provision.

The Senate bill contained a provision (sec. 2133) that would authorize specific appropriations for the construction projects authorized by this Act.

The conference agreement includes this provision.

The Senate bill contained a provision (sec. 2134) that would authorize specific appropriations for the construction projects authorized by this Act.

The conference agreement includes this provision.

The Senate bill contained a provision (sec. 2135) that would authorize specific appropriations for the construction projects authorized by this Act.

The conference agreement includes this provision.

The Senate bill contained a provision (sec. 2136) that would authorize specific appropriations for the construction projects authorized by this Act.

The conference agreement includes this provision.

The Senate bill contained a provision (sec. 2137) that would authorize specific appropriations for the construction projects authorized by this Act.

The conference agreement includes this provision.

The Senate bill contained a provision (sec. 2138) that would authorize specific appropriations for the construction projects authorized by this Act.

The conference agreement includes this provision.

The Senate bill contained a provision (sec. 2139) that would authorize specific appropriations for the construction projects authorized by this Act.

The conference agreement includes this provision.

The Senate bill contained a provision (sec. 2140) that would authorize specific appropriations for the construction projects authorized by this Act.

The conference agreement includes this provision.

The Senate bill contained a provision (sec. 2141) that would authorize specific appropriations for the construction projects authorized by this Act.

The conference agreement includes this provision.

The Senate bill contained a provision (sec. 2142) that would authorize specific appropriations for the construction projects authorized by this Act.

The conference agreement includes this provision.

The Senate bill contained a provision (sec. 2143) that would authorize specific appropriations for the construction projects authorized by this Act.

The conference agreement includes this provision.

The Senate bill contained a provision (sec. 2144) that would authorize specific appropriations for the construction projects authorized by this Act.

The conference agreement includes this provision.

The Senate bill contained a provision (sec. 2145) that would authorize specific appropriations for the construction projects authorized by this Act.

The conference agreement includes this provision.

The Senate bill contained a provision (sec. 2146) that would authorize specific appropriations for the construction projects authorized by this Act.

The conference agreement includes this provision.

The Senate bill contained a provision (sec. 2147) that would authorize specific appropriations for the construction projects authorized by this Act.

The conference agreement includes this provision.

The Senate bill contained a provision (sec. 2148) that would authorize specific appropriations for the construction projects authorized by this Act.

The conference agreement includes this provision.

The Senate bill contained a provision (sec. 2149) that would authorize specific appropriations for the construction projects authorized by this Act.

The conference agreement includes this provision.

The Senate bill contained a provision (sec. 2150) that would authorize specific appropriations for the construction projects authorized by this Act.
The House recedes with an amendment that would increase the authorization for Industrial Skills Center, Puget Sound Naval Shipyard from $20,280,000 to $24,000,000. The amendment would reduce the fiscal year 2001 authorization of appropriations for planning and design by $19.6 million to reflect the rescission of unobligated balances of this amount. Authorization of Construction Appropriations Act, 2002 (Public Law 107–64), and would make certain conforming changes. Modification of authority to carry out certain projects

The Senate bill contained a provision (sec. 2306) that would amend the Military Construction Authorization Act for Fiscal Year 2000 (division B of Public Law 106–65) to increase the authorization of appropriations for the headquarters facility for the Commander in Chief of the Pacific Fleet at Camp Smith, Hawaii by $3.0 million. The House amendment contained a similar provision.

The House recedes — AFCE

Overview

The Senate bill would authorize $2,587.8 million for Air Force military construction and family housing programs for fiscal year 2002. The House amendment would authorize $2,526.0 million for this purpose.

The conference recommends authorization of appropriations of $2,573.1 million for Air Force military construction and family housing for fiscal year 2002. The conference agrees to general reductions of $48.4 million in the Air Force military construction and military family housing accounts. The reductions are to be achieved through savings from favorable bids, reduction in overhead costs, and cancellation of projects due to force structure changes. The general reductions shall not cancel any military construction authorized by Title XXIII of this Act.

The conference agreement provides the planning and design funds needed to execute the construction projects authorized by this Act as well as any planning and design specifically directed in the House report (H. Rept. 107–194) or the Senate report (S. Rept. 107–62).

LEGISLATIVE PROVISIONS ADOPTED

Authorized Air Force construction and land acquisition projects (sec. 2301)

The Senate bill contained a provision (sec. 2301) that would authorize Air Force construction projects for fiscal year 2002. The authorized amounts are listed on an installation-by-installation basis.

The House amendment contained a similar provision (sec. 2301).

The conference agreement includes this provision.

Family housing (sec. 202)

The Senate bill included a provision (sec. 202) that would authorize new construction and planning and design of family housing units for the Air Force for fiscal year 2002. The authorized amounts are listed on an installation-by-installation basis.

The House amendment contained a similar provision (sec. 202).

The conference agreement includes this provision.

The authorized amounts are listed on an installation-by-installation basis. The state list of projects contained in this report provides the binding list of specific projects authorized at each location.

Improvements to military family housing units (sec. 2303)

The Senate bill contained a provision (sec. 2303) that would authorize improvements to existing units of family housing for fiscal year 2002. The House amendment contained a similar provision (sec. 2303).

The conference agreement includes this provision and includes funding for the additional housing improvements contained in the Senate bill and the House amendment.

Authorization of appropriations, Air Force (sec. 2304)

The Senate bill contained a provision (sec. 2304) that would authorize specific appropriations for each line item in the Air Force military construction and family housing program. The conference would also provide an overall limit on the amount the Air Force may spend on military construction projects.

The House amendment contained a similar provision (sec. 2304).

The conference agreement includes this provision.

Modification of authority to carry out certain fiscal year 2001 projects (sec. 2305)

The Senate bill contained a provision (sec. 2305) that would amend section 2302(a) of the Military Construction Act for Fiscal Year 2001 (division B of Public Law 106–398; 114 Stat. 1654A–400) to correct the number of family housing units authorized for construction at Mountain Home Air Force Base, Idaho, from 119 to 46 units.

The House amendment contained a provision (sec. 2305) that would amend the table in section 2301 of the Military Construction Authorization Act for Fiscal Year 2001 (division B of Public Law 106–398) to provide for an increase in the amounts authorized for military construction at McGuire Air Force Base, New Jersey.

The House recedes to the Senate provision. The Senate recedes to the House provision.

The conference recedes to the House provision. Authorization of appropriations, Defense Agencies (sec. 2403)

The Senate bill contained a provision (sec. 2403) that would authorize specific appropriations for each line item in Defense Agencies’ budgets for fiscal year 2002. This section would also provide an overall limit on the amount the Defense Agencies may spend on military construction projects.

The House amendment contained a similar provision (sec. 2403).

The conference agreement includes this provision.

Cancellation of authority to carry out certain fiscal year 2001 projects (sec. 2404)

The Senate bill contained a provision (sec. 2404) that would amend the Military Construction Authorization Act for Fiscal Year 2001 (division B of Public Law 106–398) to cancel the project authorizations for four TRICARE Management Agency medical/dental clinic and support facility projects at Camp Pendleton, California since the funds authorized in fiscal year 2001 were used for payment of a claim related to the construction of the Portsmouth Naval Hospital, Virginia. These projects would be authorized for fiscal year 2002 in section 2403 of this Act.

The House amendment contained a provision (sec. 2404) that would authorize Defense to carry out energy conservation projects.

Modification of authority to carry out certain fiscal year 2000 projects (sec. 2405)

The Senate bill contained a provision (sec. 2405) that would amend the Military Construction Authorization Act for Fiscal Year 2000 (division B of Public Law 106–398) to increase the project authorization for four chemical demilitarization facility at Blue Grass, Kentucky and the authorization for a hospital at Fort Wainwright, Alaska by $82.0 million.
The provision would also cancel the project authorization for an aircrew water survival training facility at Whidbey Island Naval Air Station, Washington since the funds authorized in fiscal years 2002 and 2003 by this Act are not needed due to the submission of a claim related to the construction of the Portsmouth Naval Hospital, Virginia. This project would be authorized for fiscal year 2002 in the President’s budget.

The House amendment contained a provision (sec. 2405) that would amend the table in section 2401 of the Military Construction Authorization Act for Fiscal Year 1999 (division B of Public Law 105-261) to increase the amount authorized for construction at Naval Air Station, Whidbey Island, Washington and Blue Grass Army Depot, Kentucky.

The House recedes with a technical amendment.

**Modification of authority to carry out certain fiscal year 1999 project (sec. 2406)**

The Senate bill contained a provision (sec. 2407) that would amend the Military Construction Authorization Act for Fiscal Year 1999 (division B of Public Law 105-261) to increase the project authorization for a chemical demilitarization facility at Aberdeen Proving Ground, Maryland by $37.6 million. The House amendment contained a similar provision.

The Senate recedes.

**Modification of authority to carry out certain fiscal year 2000 project (sec. 2407)**

The Senate bill contained a provision (sec. 2408) that would amend the table in section 2401 of the Military Construction Authorization Act for Fiscal Year 1999 (division B of Public Law 105-261; 108 Stat. 3040, as amended), to increase the funding for Chemical Weapons and Munitions Destruction facilities at Pine Bluff, Arkansas, by $23.0 million. The House amendment contained an identical provision.

The conference agreement includes this provision.

**Procedures for the Department of Defense**

The conference agreement is to authorize a round of base realignment and closure for the Department of Defense in 2005. The conference agreement modifies the procedures used in the 1991, 1993 and 1995 rounds as described below.

**Recommendations by the Secretary**

With respect to the recommendations of the Secretary of Defense, the conference has modified the process used in prior rounds as follows:

- The force structure plan submitted by the Secretary of Defense with the fiscal year 2005 budget would include detailed information on probable end-strength and force levels for the military services, including major combat units, combatant vessels and air wings. The Secretary would be required to review every type of installation and to take into account the proceeded need for and availability of overseas installations in the future.

- The Secretary would be permitted to submit a revised force structure plan with the fiscal year 2005 budget.

- The Secretary would be required to include with the force structure plan an inventory of military installations; a description of the categories of facilities recommended for realignment; and an economic analysis of the options for eliminating or reducing that excess infrastructure, including potential efficiencies from joint use of space, reductions in the cost of military installations by more than one service.

- The Secretary would be required to certify, when the force structure plan and infrastructure recommendations are submitted, whether the Secretary is not limited to the criteria relating to the cost or savings of proposed closures would have taken into account the impact of the closure on other federal agency operations on the installation.

- The General Accounting Office would be required to submit to Congress an evaluation of the force structure plan, the installation inventory and the selection criteria.

**Consideration of the Secretary’s proposal by the commission**

With respect to the proceedings of the commission, the conference agrees to the following changes to the Senate amendment:

- The number of commissioners for the 2005 round would be increased from eight to nine. The commissioners would have 48 hours rather than 24 hours to provide information received from certain individuals of the Department of Defense to the Congress.

- The Secretary was required to review the proposals of the commission and to submit a recommendation for consideration by the commission. Prior to any decision to add an installation not proposed to be closed or realigned by the Secretary to the list of installations to be considered for closure or realignment by the commission, the commission would be required to give the Secretary 15 days to submit an explanation of why the Secretary did not propose that installation for closure or realignment. A decision to add that installation to the list of installations being considered would then have to be supported by at least seven commissioners.

- Privatization in place of closed or realigned facilities would be prohibited unless it was specifically recommended by the commission and determined to be the most cost-effective option.

**Disposal of property**

With respect to the disposal of property from closed or realigned facilities, the conference has modified the procedures used in prior rounds as follows:

- The conference agreement would require the Secretary of Defense to obtain fair market value for economic development conveyances in most cases, unless the Secretary determines the circumstances warrant a below-cost or no-cost conveyance.

- The conference agreement would allow the Secretary to recommend that an installation be placed in an inactive or caretaker status if the Secretary determines that the installation may be needed for national defense security purposes, but is not needed at the present time, or that retention of the installation by the Department of Defense is otherwise in the interests of the United States.

- The conference agreement would provide payment to allow the Department of Defense to provide services on property leased back by the United States.

- The conference agreement would specify that the Department of Defense would be authorized to pay to the recipient of the former realigned property the amount of the estimated cost to the recipient to clean up a BRAC site and expend the proceeds related to implementing any closures or realignments from 2005 round.

**Procedures for the Department of Energy**

The conference agreement would authorize the Secretary of Energy to propose facilities of the nuclear weapons complex for closure or realignment in the 2005 BRAC round. The conference agreement would require the Secretary to submit to Congress an evaluation of the recommendations of the Secretary for closure or realignment of facilities of the nuclear weapons complex, if any, that the Secretary proposes to close or realign. The Secretary would also consider any recommendations of the Secretary of Defense. The conference agreement would authorize the President to name individuals to serve as members of the Department of Defense round of base realignment and closure for the Department of Defense facilities. However, the conference agreement would modify those procedures, where appropriate, to reflect the differing missions, types of facilities, and property disposal practices of the respective Departments.

The Secretary would be required to provide an organizational plan for the nuclear weapons complex sufficient to support the nuclear weapons stockpile, the Naval Reactor Program and the nonproliferation and national security activities. In preparing the plan, the Secretary would take into consideration the Department of Defense Nuclear Posture Review efficiencies and any residual production capacity.

The Secretary would be required to certify, when the plan is submitted, whether the need exists for closure or realignment of facilities of the nuclear weapons complex that, if such need exists, a round of such closures and realignments in 2005 would produce annual net savings within six years. If the Secretary failed to provide this certification, the House amendment would disallow the military construction funds to be used to develop the plan in 2005 under the provisions of this Act for 2005 would be terminated.

**Property at facilities of the nuclear weapons complex**

Property at facilities of the nuclear weapons complex for closure recommended for closure by the Secretary would be disposed of under current statutes providing for the disposal of property of the Department of Energy and would not be subject to section 2905 of the Defense Base Closure and Realignment Act of 1990.

**A Nuclear Weapons Complex Closure Account**

The conference agreement would authorize a closure account to be created to fund the costs of implementing any closures or realignments in facilities of the nuclear weapons complex.

**Prohibition on expenditures to develop forward operating location on Aruba**

The House amendment contained a provision (sec. 2408) that would prohibit funds appropriated in chapter 3 of title II of the Emergency Supplemental Appropriations Act, 2000 (Public Law 106-246) to be used by the Department of Defense to pay for a forward operating location on the island of Aruba.

The Senate bill contained a similar provision.

The conference amendment removes Aruba.

**Legislative Provisions Not Adopted**

The Senate bill contained a provision (sec. 2905) that would reduce the fiscal year 2001 project authorization and the authorization of appropriations for military construction for a national missile defense system by $55.0 million to reflect the administration’s proposal in the fiscal year 2002 budget to build new facilities related to the development and testing of defenses with research and development funds rather than military construction funds.

The conference agreement contains the following provisions:

- The conferees agree to authorize the Secretary of Energy to propose facilities of the nuclear weapons complex for closure or realignment in the 2005 BRAC round. The conference agreement would require the Secretary to submit to Congress an evaluation of the recommendations of the Secretary for closure or realignment of facilities of the nuclear weapons complex, if any, that the Secretary proposes to close or realign.

- The conferees agree to allow the Department of Defense to make any required adjustments in the Defense Department round of base realignment and closure for the Department of Defense facilities. However, the conferees have modified those procedures, where appropriate, to reflect the differing missions, types of facilities, and property disposal practices of the respective Departments.

- The conference agreement would require the Secretary of Energy to provide an organizational plan for the nuclear weapons complex sufficient to support the nuclear weapons stockpile, the Naval Reactor Program and the nonproliferation security activities. In preparing the plan, the Secretary would take into consideration the Department of Defense Nuclear Posture Review efficiencies and any residual production capacity.

- The conference agreement would require the Secretary to certify, when the plan is submitted, whether the need exists for closure or realignment of facilities of the nuclear weapons complex that, if such need exists, a round of such closures and realignments in 2005 would produce annual net savings within six years. If the Secretary failed to provide this certification, the conference agreement would disallow the military construction funds to be used to develop the plan in 2005 under the provisions of this Act for 2005 would be terminated.

- The conference agreement would authorize a closure account to be created to fund the costs of implementing any closures or realignments in facilities of the nuclear weapons complex for closure recommended for closure by the Secretary.

- The conference agreement would authorize a closure account to be created to fund the costs of implementing any closures or realignments in facilities of the nuclear weapons complex.

- The conference amendment removes Aruba.

- The conference agreement contains the following provisions:

  - The conferees agree to authorize the Secretary of Energy to propose facilities of the nuclear weapons complex for closure or realignment in the 2005 BRAC round. The conference agreement would require the Secretary to submit to Congress an evaluation of the recommendations of the Secretary for closure or realignment of facilities of the nuclear weapons complex, if any, that the Secretary proposes to close or realign. The conference agreement would authorize a round of base realignment and closure for the Department of Defense in 2005. The conference agreement modifies the procedures used in the 1991, 1993 and 1995 rounds as described below.

  - The conference agreement would require the Secretary of Defense to obtain fair market value for economic development conveyances in most cases, unless the Secretary determines that the installation may be needed for national defense security purposes, but is not needed at the present time, or that retention of the installation by the Department of Defense is otherwise in the interests of the United States.

  - The conference agreement would provide payment to allow the Department of Defense to provide services on property leased back by the United States.

  - The conference agreement would specify that the Department of Defense would be authorized to pay to the recipient of the former realigned property the amount of the estimated cost to the recipient to clean up a BRAC site and expend the proceeds related to implementing any closures or realignments from 2005 round.
The House amendment contained a similar provision. The Senate recedes.

The conference agreement includes this provision.

TITLe XXVIII—GENERAL PROVISIONS

ITEMS OF SPECIAL INTEREST

Remediation of former Fort Ord, California

The conferees are aware that two parcels of land at the former Fort Ord, California, will be transferred at no cost to the City of Seaside, California, for the purpose of providing recreational opportunities for disadvantaged youth, once environmental remediation of the land is complete. The conferees understand that the priority has been to complete the site closure of these parcels on the former Fort Ord first, deferring to the future the transfer of land possibly contaminated with unexploded ordnance. Nevertheless, the conferees observe that Fort Ord was selected for closure more than ten years ago and are disappointed that parcels such as these, though encumbered with greater cleanup challenges, are still pending remediation and transfer. The conferees endorse the intended use of these parcels and urge the Secretary of the Army to speed the environmental remediation.

LEGISLATIVE PROVISIONS ADOPTED

Subtitle A—Military Construction Program and Military Family Housing Changes

Increase in thresholds for certain unspecified minor military construction projects (sec. 2801)

The Senate bill contained a provision (sec. 2801) that would amend section 2805 of title 10, United States Code to increase from $500,000 to $750,000 the cost threshold for an unspecified minor construction project requiring approval by law by the service secretary concerned. The provision would further amend section 2805 to increase the amount the secretary concerned may spend from appropriated operation and maintenance amounts for projects intended to correct deficiencies that are a threat to life, health, or safety from $1.0 million to $1.5 million and for other unspecified minor construction projects from $500,000 to $750,000.

The House amendment contained a similar provision.

The Senate recedes.

Exclusion of unforeseen environmental hazard remediation from limitation on authorized cost variations (sec. 2802)

The Senate bill contained a provision (sec. 2802) that would amend section 2863 of title 10, United States Code, to exclude the cost associated with unforeseen environmental hazard remediation from the limitation on cost increases in military construction projects. Costs that could be excluded would include asbestos removal, radon abatement, lead-based paint removal or abatement, and any other environmental hazard remediation required by law that was not reasonably anticipated at the time the funding for the project was approved by the Congress.

The House amendment contained a similar provision.

The Senate recedes with a technical amendment.
Fishing, or trapping on military installations

The Senate amendment contained a provision (sec. 2805) that would require the Secretary of Defense to waive state or territory fish and game laws relating to hunting, fishing, or trapping on military installations to promote public safety or morale, welfare and recreation activities.

The Senate bill contained no similar provision.

The Senate recedes with an amendment that would direct the Secretary of the Army to submit a report to the congressional defense committees not later than January 31, 2002.

Base efficiency project at Brooks Air Force Base, Texas (sec. 2815)

The House amendment contained a provision (sec. 2812) that would amend section 136(m)(9) of the Military Construction Appropriations Act, 2001, to authorize the Secretary of the Air Force to provide environmental indemnification to indemnitees if the injury or damage resulted from environmental contamination resulting from Department of Defense activities on the property prior to disposal. The indemnification would be provided unless the person or entity making the claim provided the required documentation. This section would authorize the Secretary to settle or defend a claim for cases where the Secretary determines that the Department of Defense may be required to make indemnification payments.

The House amendment would also amend section 136(m)(9) of the Military Construction Appropriations Act, 2001, to allow the Secretary of the Air Force to delegate his authorities to officials in the Air Force that have not been confirmed by the Senate.

The Senate amendment contained a provision (sec. 2812) that would authorize the Secretary of the Air Force to carry out a pilot program to determine the potential for increasing the efficiency and effectiveness of the operation of military installations.

The Senate recedes with an amendment that would clarify that this provision applies to facilities that are disposed of other than through the base realignment and closure process.

Pilot program to provide additional tools for efficient operation of military installations (sec. 2813)

The Senate amendment contained no similar provision.

The House recedes with an amendment that would define the terms "productive" and "non-productive." The Senate amendment contained no similar provision.

The Senate amendment contained a provision (sec. 2813) that would require the Secretary of Defense to establish and maintain a program to demonstrate the potential for reducing long-term facility maintenance costs.

The Senate amendment contained no similar provision.

The House amendment contained a provision (sec. 2801) that would amend section 2671 of title 10, United States Code, to allow the Secretary of Defense to waive state or territorial fish and game laws relating to hunting, fishing, or trapping on military installations to promote public safety or morale, welfare and recreation activities.

The Senate amendment contained no similar provision.

The Senate recedes with an amendment that would direct the Secretary of Defense to submit a report to the congressional defense committees not later than January 31, 2002.

Real Property and Facilities

Extension of alternative authority for acquisition and improvement of military housing (sec. 2805)

The Senate amendment contained a provision (sec. 2805) that would amend section 2805 of title 10, United States Code, to extend the authority to allow the Secretary of Defense to make the appropriate provision.

The Senate recedes with a technical amendment.

Treatment of financing costs as allowable expenses (sec. 2806)

The Senate amendment contained a provision (sec. 2806) that would authorize the Secretary of Defense to designate up to two installations in each military department as participants in the efficient facilities initiative. The Secretary would be required to develop a management plan to carry out the initiative at each designated installation and submit the plan to the Secretary of the Army. The Secretary would be required to identify any statutes or regulations that would be waived to allow the Secretary to provide support services at installations participating in the initiative.

The Senate amendment contained no similar provision.

The House recedes with a technical amendment.

Use of military installations for certain recreational activities (sec. 2810)

The Senate amendment contained a provision (sec. 2810) that would amend section 2671 of title 10, United States Code, to allow the Secretary of Defense to waive state or territory fish and game laws relating to hunting, fishing, or trapping on military installations to promote public safety or morale, welfare and recreation activities.

The Senate amendment contained no similar provision.

The Senate recedes with an amendment that would require the Secretary of Defense to waive state or territory fish and game laws relating to hunting, fishing, or trapping on military installations to promote public safety or morale, welfare and recreation activities.

The Senate amendment contained no similar provision.

The Senate recedes with an amendment that would direct the Secretary of the Army to submit a report to the congressional defense committees not later than January 31, 2002.

Funds for housing allowances of members assigned to military family housing under alternative authority for acquisition and improvement of military housing (sec. 2804)

The Senate bill contained a provision (sec. 2804) that would require the Secretary of Defense, to the extent provided in advance in appropriations acts, during the year in which a contract is awarded for a family housing privatization project, to reimburse the Military Personnel Appropriations account from the Family Housing Maintenance and Operations appropriations the amounts necessary to offset the additional cost of housing allowances that would be paid as a result of a housing privatization project. The provision would also make certain technical changes.

The House amendment contained no similar provision.

The House recedes with a technical amendment.

Authorization to waive state or territorial fish and game laws relating to hunting, fishing or trapping on military installations (sec. 2811)

The Senate amendment contained a provision (sec. 2811) that would amend section 2671 of title 10, United States Code, to allow the Secretary of Defense to make the appropriate provision.

The Senate recedes with an amendment that would clarify that this provision applies to facilities that are disposed of other than through the base realignment and closure process.

The Senate amendment contained no similar provision.

The Senate recedes with an amendment that would require the Secretary of Defense to waive state or territory fish and game laws relating to hunting, fishing, or trapping on military installations to promote public safety or morale, welfare and recreation activities.

The Senate amendment contained no similar provision.

The Senate recedes with an amendment that would require the Secretary of Defense to waive state or territory fish and game laws relating to hunting, fishing, or trapping on military installations to promote public safety or morale, welfare and recreation activities.

The Senate amendment contained no similar provision.

The Senate recedes with an amendment that would require the Secretary of Defense to waive state or territory fish and game laws relating to hunting, fishing, or trapping on military installations to promote public safety or morale, welfare and recreation activities.

The Senate amendment contained no similar provision.

Availability of proceeds of sales of Department of Defense property from certain closed military installations (sec. 2812)

The Senate amendment contained a provision (sec. 2812) that would authorize the Secretary of Defense to carry out a pilot program to allow the Secretary of Defense to dispose of property from closed installations.

The Senate amendment contained no similar provision.

The Senate recedes with an amendment that would clarify that this provision applies to facilities that are disposed of other than through the base realignment and closure process.

The Senate amendment contained no similar provision.

The Senate recedes with an amendment that would require the Secretary of Defense to waive state or territory fish and game laws relating to hunting, fishing, or trapping on military installations to promote public safety or morale, welfare and recreation activities.

The Senate amendment contained no similar provision.

The Senate recedes with an amendment that would require the Secretary of Defense to waive state or territory fish and game laws relating to hunting, fishing, or trapping on military installations to promote public safety or morale, welfare and recreation activities.

The Senate amendment contained no similar provision.

The Senate recedes with an amendment that would direct the Secretary of the Army to submit a report to the congressional defense committees not later than January 31, 2002.
property leased back by the United States. Section 2903 of the Senate bill contained similar language modifying the 1990 base closure authorities.

The House recedes with an amendment that would authorize the department and agency concerned to obtain facility services for the leased property, and common area maintenance for the redevelopment authority or the redevelopment authority’s assignees, as a provision of the lease, but would require that contracts for such services be awarded in accordance with Chapter 137 of title 10, United States Code.

Subtitle D—Land Conveyances

Part I—Army Conveyances

Lease authority, Fort DeRussy, Hawaii (sec. 2832)

The Senate bill contained a provision (sec. 2844) that would permit the Secretary of the Army to authorize the use of the Fort Morale, Welfare and Recreation Fund to enter into an agreement for the construction of a parking garage at Fort DeRussy, Hawaii. The agreement could be in the form of a non-appropriated fund contract, conditional gift, or other arrangement by which funds would be available for the construction of the garage. The agreement may permit use of the garage by the public if the fund determines it will be advantageous to the fund. Amounts received by the fund would be treated as non-appropriated funds, and would accrue to the benefit of the fund or its components.

The House amendment contained a provision (sec. 2833) that would authorize the Secretary of the Army to enter into a lease with the City of Honolulu, Hawaii, for the purpose of making available to the City a parcel of real property for the construction and operation of a parking facility. The amendment would also direct that any lease under this section would not be subject to section 2697 of title 10, United States Code and that all money rentals from the lease be retained by the Secretary and credited to an account that supports the activities and facilities at Fort DeRussy.

Modification of land conveyance, Engineer Proving Ground, Fort Belvoir, Virginia (sec. 2835)

The Senate amendment contained a provision (sec. 2823) that would amend section 2835 of the Military Construction Authorization Act for Fiscal Year 1998 (division B of Public Law 105-85) to authorize the exchange between the Borough of Wightstown and the New Hanover Board of Education, without the consent of the Secretary of the Army, of all or any portion of the property conveyed so long as the property continues to be used for economic or educational purposes.

The Senate bill contained no similar provision.

The Senate recedes.

Land conveyance, Port of Long Beach, California (sec. 2843)

The House amendment contained a provision (sec. 2834) that would authorize the Secretary of the Army to convey to the San Diego Aircraft Carrier Base, California, approximately 4.6 acres located at the Engineer Proving Ground for the purpose of constructing and operating full ship facilities and that they are ready for use.

The Senate amendment contained no similar provision.

The Senate recedes.

Land conveyance, Army Reserve Center, Kewaunee, Wisconsin (sec. 2838)

The Senate bill contained a provision (sec. 2832) that would authorize the Administrator of the General Services Administration to convey the former Army Reserve Center in Kewaunee, Wisconsin, to the City of Kewaunee for public use. The provision includes a 30-year reversionary clause and directs that, in the event of a reversion of the property, the property shall be disposed of by public sale.

The House amendment contained no similar provision.

The House recedes with an amendment that would direct that proceeds received by the United States from the public sale of the property, in the event that the property reverts to the United States, would be deposited into the Land and Water Conservation Fund.

Part II—Navy Conveyances

Transfer of jurisdiction, Centerville Beach Naval Station, Humboldt County, California (sec. 2941)

The House amendment contained a provision (sec. 2941) that would authorize the Secretary of the Navy to transfer, without reimbursement, to the administrative jurisdiction necessary by the Secretary, the real property with improvements consisting of the closed Centerville Beach Naval Station in Humboldt County, California, for the purpose of permitting the Secretary of the Interior to manage the real property as open space or for other public purposes.

The Senate bill contained no similar provision.

The Senate recedes.

Land conveyance, Port of Long Beach, California (sec. 2842)

The conference agrees to include a provision that would authorize the Secretary of the Navy to convey to the City of Long Beach, California, up to 11 acres of real property, including any improvements, comprising part of the Naval Mole pier of the Long Beach Naval Complex, Long Beach, California. In exchange, the City would convey to the Secretary a parcel of real property of equal size at the same pier that is acceptable to the Secretary, and would construct suitable replacement fuel transfer and storage facilities on the conveyed property as determined necessary by the Secretary. The Secretary would not be authorized to make the conveyance until he determines that the City has constructed suitable replacement facilities and that the Secretary finds the conveyance to be in the best interest of the United States.

The House amendment contained a provision (sec. 2821) that would authorize the Secretary of the Army to transfer, without reimbursement, to the administrative jurisdiction necessary by the Secretary, the real property with improvements consisting of the closed Centerville Beach Naval Station in Humboldt County, California, for the purpose of permitting the Secretary of the Interior to manage the real property as open space or for other public purposes.

The House amendment contained no similar provision.
December 12, 2001

CONGRESSIONAL RECORD — HOUSE

H9725

credited to the appropriation, fund, or account from which the expenses were paid and would be available for the same purpose and subject to the same limitation.

The Senate recedes.

The provision would require that the recipient of the property exercise due diligence with respect to the property and would require that the Secretary provide the recipient with a copy of the report of the reexamination of the property.

The Senate amendment contained a similar provision (sec. 2842).

Land transfer and conveyance, Naval Security Group Activity, Water Harbor, Maine, (sec. 2845)

The amendment would authorize the Secretary of the Navy to transfer land to the City of Grand Isle, Louisiana, for the purpose of economic development.

The Senate amendment contained a provision (sec. 2846) that would require the Secretary to provide the recipient of the property with a copy of the report of the reexamination of the property.

Land acquisition, Perquimans County, North Carolina (sec. 2846)

The amendment would authorize the Secretary of the Navy to acquire approximately 240 acres in Perquimans County, North Carolina, for the purpose of economic development.

The Senate amendment contained a provision (sec. 2837) that would require the Secretary to provide the recipient of the property with a copy of the report of the reexamination of the property.

Land acquisition, Naval Weapons Industrial Reserve Plant, Toledo, Ohio (sec. 2847)

The Senate amendment contained a provision (sec. 2825) that would require the Secretary to provide the recipient of the property with a copy of the report of the reexamination of the property.

Water right conveyance, Andersen Air Force Base, Guam (sec. 2852)

The amendment would authorize the Secretary to convey water rights related to the Air Force properties

Andy South, also known as the Andersen Ad-

ministrative Annex; Marianas Bonis Base

and Andersen Water Supply Annex, also known as the Tumon Water Well or the Tumon Maui Well, located on Guam. The Senate amendment contained a provision (sec. 2838) that would require the Secretary to provide the recipient of the property with a copy of the report of the reexamination of the property.

The Senate amendment contained a provision (sec. 2826) that would authorize the Secretary of the Air Force to convey water rights related to the Air Force properties

Andy South, also known as the Andersen Administra-

tive Annex; Marianas Bonis Base

and Andersen Water Supply Annex, also known as the Tumon Water Well or the Tumon Maui Well, located on Guam. The Senate amendment contained a provision (sec. 2838) that would require the Secretary to provide the recipient of the property with a copy of the report of the reexamination of the property.

The Senate amendment contained a provision (sec. 2826) that would authorize the Secretary of the Air Force to convey water rights related to the Air Force properties

Andy South, also known as the Andersen Administrative Annex; Marianas Bonis Base

and Andersen Water Supply Annex, also known as the Tumon Water Well or the Tumon Maui Well, located on Guam. The Senate amendment contained a provision (sec. 2838) that would require the Secretary to provide the recipient of the property with a copy of the report of the reexamination of the property.
The House amendment contained no similar provision.

The amendment would also prohibit any new structures on the Arlington Ridge tract after the date on which the Foundation acquires the site. The amendment would amend section 2881 of the Military Construction Authorization Act for Fiscal Year 2001 to direct the Secretary of the Army to make up to 15 acres of additional land available for burial sites. The amendment would also amend section 2902 of the Military Construction Authorization Act for Fiscal Year 2000 (division B of Public Law 106–65) to prohibit consideration of the Arlington Naval Annex property for use as a site for the Air Force Memorial. The acres would be in lieu of the Arlington Ridge tract. The Senate amendment would also authorize the Secretary of Defense to use the real property as the location for an armed forces recreation facility to be developed using non-appropriated funds. In lieu of developing the recreation facility, the Secretary of the Air Force could convey or lease the property to other entities in exchange for reimbursement, up to three acres of the Naval Annex property for use as the location for the Air Force Memorial. The amendment would also contain a provision (sec. 2863) that would modify section 2866 of the Public Lands Management Act of 1996 (Public Law 104–333) from $50.0 million to $150.0 million.

The Senate amendment would also authorize the Secretary of Defense to convey or lease land at the Naval Annex property for use as the location for the Air Force Memorial. The amendment would also amend section 2827 of the Military Construction Authorization Act for Fiscal Year 2001 to direct the Secretary of the Army to make up to 15 acres of additional land available for burial sites. The amendment would also amend section 2802 of the Military Construction Authorization Act for Fiscal Year 2001 to direct the Secretary of the Interior to transfer the property to other entities in exchange for reimbursement, up to three acres of the Naval Annex property for use as the location for the Air Force Memorial. The acres would be in lieu of the Arlington Ridge tract. The Senate amendment would also authorize the Secretary of Defense to use the real property as the location for an armed forces recreation facility to be developed using non-appropriated funds. In lieu of developing the recreation facility, the Secretary of the Air Force could convey or lease the property selected as the site for the recreation facility to another entity or enter into a contract with another entity for the construction and operation of the recreation facility as a mixed military and commercial facility.

The amendement would also provide that the Secretary of Defense would be in lieu of the Arlington Ridge tract. The Senate amendment would also authorize the Secretary of Defense to use the real property as the location for an armed forces recreation facility to be developed using non-appropriated funds. In lieu of developing the recreation facility, the Secretary of the Air Force could convey or lease the property selected as the site for the recreation facility to another entity or enter into a contract with another entity for the construction and operation of the recreation facility as a mixed military and commercial facility.

The Senate amendment would also authorize the Secretary of Defense to use the real property as the location for an armed forces recreation facility to be developed using non-appropriated funds. In lieu of developing the recreation facility, the Secretary of the Air Force could convey or lease the property selected as the site for the recreation facility to another entity or enter into a contract with another entity for the construction and operation of the recreation facility as a mixed military and commercial facility.

The House amendment contained no similar provision.

The Senate amendment would also provide that the Secretary of Defense would be in lieu of the Arlington Ridge tract. The Senate amendment would also authorize the Secretary of Defense to use the real property as the location for an armed forces recreation facility to be developed using non-appropriated funds. In lieu of developing the recreation facility, the Secretary of the Air Force could convey or lease the property selected as the site for the recreation facility to another entity or enter into a contract with another entity for the construction and operation of the recreation facility as a mixed military and commercial facility.

The House amendment contained a provision (sec. 2862) that would allow the Secretary of Defense to convey or lease such land to the Arlington National Cemetery Foundation for use as an administrative office for the Arlington National Cemetery. The Senate amendment would also authorize the Secretary of Defense to use the real property as the location for an armed forces recreation facility to be developed using non-appropriated funds. In lieu of developing the recreation facility, the Secretary of the Air Force could convey or lease the property selected as the site for the recreation facility to another entity or enter into a contract with another entity for the construction and operation of the recreation facility as a mixed military and commercial facility.

The amendment would also authorize the Secretary of Defense to convey or lease land at the Naval Annex property for use as the location for the Air Force Memorial. The acres would be in lieu of the Arlington Ridge tract. The Senate amendment would also authorize the Secretary of Defense to use the real property as the location for an armed forces recreation facility to be developed using non-appropriated funds. In lieu of developing the recreation facility, the Secretary of the Air Force could convey or lease the property selected as the site for the recreation facility to another entity or enter into a contract with another entity for the construction and operation of the recreation facility as a mixed military and commercial facility.

The Senate amendment would also authorize the Secretary of Defense to use the real property as the location for an armed forces recreation facility to be developed using non-appropriated funds. In lieu of developing the recreation facility, the Secretary of the Air Force could convey or lease the property selected as the site for the recreation facility to another entity or enter into a contract with another entity for the construction and operation of the recreation facility as a mixed military and commercial facility.

The Senate amendment would also authorize the Secretary of Defense to use the real property as the location for an armed forces recreation facility to be developed using non-appropriated funds. In lieu of developing the recreation facility, the Secretary of the Air Force could convey or lease the property selected as the site for the recreation facility to another entity or enter into a contract with another entity for the construction and operation of the recreation facility as a mixed military and commercial facility.
Public Law 106-65 to direct the Secretary of Defense to reserve no more than four acres of the Naval Annex property, south of Columbia Pike, as a site for memorials or museums that the Secretary, if the Defense considers compatible with Arlington Cemetery and the Air Force Memorial.

The Senate bill contained a provision (sec. 2841) that would require the Secretary of Defense to provide a report to Congress prior to the date on which he transfers the three-acre parcel on the Naval Annex site to the Secretary of the Army, providing his determination whether construction of the Air Force Memorial on this site, together with the public access required for the Memorial, is consistent with the security requirements of the Pentagon and the Naval Annex. If the Secretary determines this location is not fully consistent with such security requirements, the Secretary shall include in his recommendations the steps that should be taken to address any security concerns.

Establishment of memorial to victims of terrorist attack on Pentagon Reservation and authority to accept monetary contributions for memorial and repair of Pentagon (sec. 2864)

The Senate bill contained a provision (sec. 2845) that would authorize the Secretary of Defense to accept monetary contributions for the purpose of establishing a memorial or assisting in repair and reconstruction of the Pentagon Reservation following the terrorist attack that occurred on September 11, 2001. The funds would be deposited in the Pentagon Reservation Maintenance Revolving Fund.

The House amendment contained a provision (sec. 1055) that would authorize the Secretary of Defense to accept monetary contributions to finance the repair and reconstruction of the Pentagon Reservation following the terrorist attack that occurred on September 11, 2001. The funds would be deposited in the Pentagon Reservation Maintenance Revolving Fund.

The House recedes with an amendment that would authorize the Secretary of Defense to establish the memorial and would direct the Secretary to use only for establishing a memorial or to repair the damage to the Pentagon Reservation caused by the terrorist attack.

Repeal of limitation on cost of renovation of Pentagon Reservation (sec. 2865)

The Senate bill contained a provision (sec. 2842) that would repeal section 2864 of the Military Construction Authorization Act for Fiscal Year 2001 (division B of Public Law 104-251; 110 Stat. 2096) limiting the cost of renovating the Pentagon Reservation to $1.1 billion.

The House amendment contained no similar provision.

The Senate recedes.

Development of United States Army Heritage and Education Center at Carlisle Barracks, Pennsylvania (sec. 2866)

The Senate bill contained a provision (sec. 2841) that would authorize the Secretary of the Army to enter into a partnership with the Military Heritage Foundation for the design, construction and operation of a U.S. Army Heritage and Education Center at Carlisle Barracks, Pennsylvania. The facility would provide research, facility, classroom, offices and associated activities for the study and storage of artifacts. The Secretary would be authorized to accept funds from the Heritage Foundation for the design and construction of the U.S. Army Heritage and Education Center and to permit the Military Heritage Foundation to contract for the design and construction of the facility. The facility would become the property of the Department of the Army upon the satisfaction of any and all financial obligations incurred by the Military Heritage Foundation. The provision would also authorize the Commandant of the U.S. Army War College, under the authority of the Secretary, to accept gifts for the benefit of the United States Army Heritage and Education Center.

The House amendment contained no similar provision.

The Senate recedes with an amendment that would direct the Secretary of the Army to assess the land requirements of the United States Military Academy and determine if conveys real property is available for either transfer or lease to the Village of Highland Falls. The Secretary would be required to report his findings to the Congress by February 28, 2002.

Naming of Patricia C. Lamar Army National Guard Readiness Center, Oxford, Mississippi (sec. 2871)

The Senate bill contained a provision (sec. 2852) that would name the Oxford Army National Guard Readiness Center as the Patricia C. Lamar Army National Guard Readiness Center.

The House amendment contained no similar provision.

The Senate recedes with a technical amendment.

Legislative Provisions Not Adopted

Authority available for lease of property and facilities under alternative authority for acquisition and improvement of military housing

The Senate bill contained a provision (sec. 2849) that would amend the authorities for lease conveyance by authorizing the Secretary of Defense to establish the memorial and would authorize the Secretary of Defense to establish the memorial and would authorize the Secretary of Defense to provide a report to Congress, prior to lease conveyance and equal sharing the value of assets at one installation equal to privatization projects at other installations.

The House amendment contained no similar provision.

The Senate recedes.

The Senate recedes with an amendment to authorize the Secretary of Defense to explore innovative approaches to maximize the Department’s fiscal and real property resources in executing the housing privatization projects.

Land conveyance, Defense Fuel Support Point, Lynn Haven, Florida

The House amendment contained a provision (sec. 2853) that would authorize the Secretary of the Air Force to convey to Florida State University approximately 200 acres located at the Defense Fuel Support Point, Lynn Haven, Florida. The purpose of the conveyance would be to establish a National Coastal Research Center.

The Senate recedes with no similar provision.

The Senate recedes.

Payment for certain services provided by redevelopment authorities for property leased back by the United States

The Senate bill contained a provision (sec. 2854) that would amend the Defense Authorization Amendments and Base Closure and Realignment Act (Public Law 102-585; section 2878 of title 10, United States Code) to authorize the Secretary of Defense to transfer or lease to the Secretary of the Army or the head of another department or agency of the Federal Government. The provision would also authorize the United States to pay the redevelopment authority for the value of assets at one installation equal to privatization projects at other installations.

The House amendment contained a similar provision (sec. 2821) that would amend both the Defense Authorization Amendments and Base Closure and Realignment Act and the Defense Base Closure and Realignment Act of 1990 (part A of title XXIX of Public Law 100-526; section 2857 of title 10, United States Code) to authorize the Secretary of Defense to convey certain real property to the Secretary of the Army or to the head of another department or agency of the Federal Government. The provision would also authorize the United States to pay the redevelopment authority for the value of assets at one installation equal to privatization projects at other installations.
101–510; 10 U.S.C. 2697 note) that governs the 1991, 1993 and 1995 rounds of base closures to provide these authorities.

The Senate recedes. The conference agrees to include the amendments to both the 1998 and 1990 base closure laws in a single provision elsewhere in this Act.

_Treatment of amounts received_

The Senate bill contained a provision (sec. 2833) that would require any proceeds received from the sale of a former Army Reserve Center in Kewaunee, Wisconsin that would be authorized to be conveyed by section 2832 of the Senate bill to be deposited into the Land and Water Conservation Fund in the event the property reverted to the United States.

The House amendment contained no similar provision.

The Senate recedes. The conference agreed to include this provision in the bill, authorizing the conveyance of the property in Kewaunee, Wisconsin that is included in title XXVIII of this Act.

**Short title (sec. 2901)**

This provision would designate title XXIX of this Act as the “Fort Irwin Military Land Withdrawal Act of 2001.”

_Withdrawal and reservation of lands for National Training Center (sec. 2902)_

This provision would withdraw approximately 110,000 acres of public lands in San Bernardino County, California from general land laws and would transfer jurisdiction of these lands to the Secretary of the Army for military testing, training, and other defense-related purposes at the NTC.

_Map and legal description (sec. 2903)_

This provision would require the Secretary of the Army, during the period of the withdrawal and reservation, to manage such lands for the training and testing purposes specified in section 2902. However, military use of the lands that result in ground disturbances would be prohibited until the Secretary of the Army and the Secretary of the Interior certify to Congress that there has been full compliance with this title, the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.), the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.), and other applicable laws. The Secretary of the Army would be authorized to restrict public access on these lands during this time.

**Release of wilderness study areas (sec. 2908)_**

This provision would determine that the public lands withdrawn under this title have been adequately studied for wilderness designation.

_Newsprint separation from utility corridors (sec. 2909)_

This provision would require that all military ground activity training conducted on withdrawn lands be located at least 500 meters from any existing utility system.

_Duration of withdrawal and reservation (sec. 2910)_

Under this provision, the withdrawal and reservation made by this title would terminate 25 years after the date of the enactment of this Act, unless otherwise extended, postponed, or affected by a delay in the Secretary of the Interior in accepting jurisdiction.

_Extension of initial withdrawal and reservation (sec. 2911)_

This provision would require the Secretary of the Army, no later than two years after the withdrawal and reservation, to notify Congress and the Secretary of the Interior whether the Army has a continuing military need for the withdrawn lands. If the Secretary of the Army determines there is a continuing military need, the Secretary of the Army shall consult with the Secretary of the Interior regarding any adjustments in the withdrawal and reservation, and file an application for an extension of the withdrawal and reservation with the Secretary of the Interior. The provision would also authorize the Secretary of the Army and the Secretary of the Interior to submit a legislative proposal to Congress on the extension of the land withdrawal. The legislative proposal would be accompanied by an analysis of the environmental impacts, consistent with the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.), and the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.), and to consult with the National Aeronautics and Space Administration regarding potential disruptions to NASA operations.

_Water rights (sec. 2905)_

This provision would clarify that this title does not create any water rights for the United States or any of the United States. The provision would not affect any water rights acquired or reserved by the United States before the date of enactment of this Act.

_Environmental compliance and environmental response requirements (sec. 2906)_

The conferees agreed to a provision that would require, rather than permit, the Secretary of the Army to consult with the Secretary of the Interior before entering into such agreements as are necessary, appropriate, and in the public interest to carry out the purposes of this title. Such agreements should provide that the Secretary of the Army consult with the Secretary of the Interior with respect to proposed and final response actions. Such agreements should also provide that the Secretary of the Army reimburse the Secretary of the Interior for all costs incurred by the Secretary of the Interior as a result of the Army’s activities on the withdrawn and reserved land.

_West Mojave Coordinated Management Plan (sec. 2907)_

This provision would urge the Secretary of the Interior to complete the West Mojave Coordinated Management Plan not later than two years after the date of enactment of this Act. The Secretary of the Interior would ensure that this plan considers the impacts of this title. The provision would also require the Secretary of the Interior to consult with the Secretary of the Army and the Administrator of the National Aeronautics and Space Administration on the development of the plan.

**Termination and relinquishment (sec. 2912)**

This provision would require the Secretary of the Army to terminate and relinquish any withdrawal and reservation made by this title. The provision would also provide that the Secretary of the Army would be required to reimburse the Secretary of the Interior for all costs incurred by the Secretary of the Interior as a result of any such withdrawal and reservation.

**Delegation of Authority (sec. 2913)**

This provision would authorize the Secretary of the Army and the Secretary of the Interior to delegate the functions necessary to implement this title.

**Title XXX—REALIGNMENT AND CLOSURE OF MILITARY INSTALLATIONS AND PREPARATION OF INFRASTRUCTURE PLAN FOR THE NUCLEAR WEAPONS COMPLEX**

This title would amend the Base Realignment and Closure Act of 1990 (Public Law 101-510, as amended) and authorize a new base realignment and closure (BRAC) round in 2003. Under this provision, the Secretary would extend the authorities of the 1990 Act, which expired after the 1995 BRAC round, to authorize a new BRAC round in 2003 for the Department of Defense.

Section 2902 of the Senate bill would establish a separate account to track the costs and savings of the 2003 round.

Section 2903 of the Senate bill would make substantive changes in the 1990 Act that would apply to the 2003 round. This provision would increase the total number of BRAC commissions from eight to nine; require that the selection criteria emphasize the military value of installations; require that any selection criteria relating to the cost or savings of proposed closures take into account the impact of the closure on other federal agency operations on that installation; require the Secretary of Defense to review every scope of closure and to take into account the anticipated need for and availability of base closures in installations in the 1995 round; require the Secretary to consider any notice from a local government that the government would approve of the closure of a neighboring installation.

This section would also: give the commission an additional 24 hours to provide information received from certain individuals to the Congress; require that the Secretary of Defense be given an opportunity to testify before the commission on changes made by the commission to the Secretary’s recommendations; prohibit privatization in place of closed or realigned facilities unless it was specifically recommended by the base closure commission and determined to be the most cost-effective option; allow payment to a local redevelopment authority for services provided on property leased back by the United States; and allow the difference to the recipient if the estimated cost to the recipient to clean up a BRAC site exceeds the value of the property.

Section 2904 of the Senate bill would make technical and clarifying changes to the 1990 Act. The House amendment contained no similar provisions.

The House recedes with an amendment that would authorize an additional BRAC round in 2005 rather than the additional changes to the process authorized under the 1990 Act for the 2003 round.
Unless specifically changed by the provisions of this Act, the 2005 BRAC round would operate under the authorities and requirements of the Defense Base Closure and Realignment Act of 1990 (Public Law 101-510, as amended). Procedures for the Department of Defense (secs. 3001–3007)

The conferees agree to authorize a round of base realignment and closure that would provide the Department of Defense in 2005. The conference agreement modifies the procedures used in the 1991, 1993 and 1995 rounds as described below.

Recommendations by the Secretary

With respect to the recommendations of the Secretary of Defense, the conferees have modified the process used in prior rounds as follows.

The force structure plan submitted by the Secretary of Defense with the fiscal year 2005 budget would include detailed information on probable end-strength and force levels for the military services, including major ground combat units, combatant vessels and air wings. The Secretary would be required to review every type of installation and to take into account anticipated future requirements and availability of overseas installations in the future. The Secretary would be permitted to submit a revised force structure plan with the fiscal year 2006 budget. The Secretary would be required to include with the force structure plan: an inventory of military installations; a description of the categories of excess infrastructure; and an economic analysis of the options for eliminating or reducing that excess infrastructure, including potential efficiencies from joint use and tenancy of military installations by more than one service.

The Secretary would be required to certify, when the force structure plan and infrastructure inventory are submitted, whether the need exists for closure or realignment of additional military installations and, if such need exists, that a round of such closures and realignments in 2005 would produce annual net savings within six years. If the Secretary failed to provide this certification, the process for closure or realignment of installations under the provisions of this Act for 2005 would be terminated.

The conferees specify factors that must be evaluated and incorporated in the Secretary’s final list of criteria, including the military value of installations for both conventional and nuclear security purposes, but is not needed at the present time, or that retention of the installation by the Department of Defense is otherwise in the interests of the United States.

The DOD would be authorized to pay the recipient of the former DOD property the amount by which the estimated cost to the recipient to demolish a BRAC site exceeds the value of the property.

A Department of Defense Closure Account for 2005 would be created to fund the costs of implementing closures or realignments from the 2005 round.

Preparation of infrastructure plan for the nuclear weapons complex (sec. 3006)

The conferees agree to a provision that would require the Secretary of Energy to develop an infrastructure plan for the nuclear weapons complex adequate to support the nuclear weapons stockpile, the Naval Reactors Program, defense proliferation and national security activities. In preparing the plan, the Secretary would take into consideration the Department of Defense Nuclear Posture Review, any efficiencies and security benefits of consolidation, and the necessity to have a residual nuclear weapons production capacity. The provision would require the Secretary to submit the plan to Congress, along with any implementing recommendations the Secretary considers appropriate, including whether to establish a round of such closures and realignments should take place. Finally, the Secretary would also be required to submit a legislative proposal if the Secretary determines that an alternative legislative authority to implement the Secretary’s recommendations.

DIVISION C—DEPARTMENT OF ENERGY NATIONAL SECURITY AUTHORIZATIONS AND OTHER AUTHORIZATIONS

TITLE XXXI—DEPARTMENT OF ENERGY NATIONAL SECURITY PROGRAMS

Overview

Title XXXI authorizes appropriations for the following national security activities of the Department of Energy (DOE) for fiscal year 2002, including: the purchase, construction, and acquisition of plant and capital equipment; research and development; nuclear weapons; naval nuclear propulsion; environmental restoration and waste management; operating expenses; and other expenses necessary to carry out the purposes of the Department of Energy Organization Act (Public Law 95-91). The title would authorize appropriations in six cases: Nuclear security administration; defense environmental restoration and waste management; defense facilities closure projects; defense environmental management privatization; defense nuclear weapon activities; and defense nuclear waste disposal.

The budget request for atomic energy defense activities at the Department of Energy totaled $13.4 billion, a 1.2 percent decrease from the fiscal year 2001 level. Of the total amount requested: $5.3 billion would be for weapons activities; $773.7 million would be for defense nuclear non-proliferation activities; $880.0 million would be for nuclear weapons complex; $527.5 million would be for other defense activities; and $310.0 million would be for defense clear waste activities.

The conferees agree to authorize $14.1 billion for atomic energy defense activities at the Department of Energy, an increase of $721.5 million to the budget request. The conferees agree to authorize $7.1 billion for the National Nuclear Security Administration (NNSA), an increase of $194.3 million. Of the amount authorized for the NNSA: $5.3 billion would be for weapons activities, an increase of $321.6 million; $43.5 million would be for naval reactors, the same as the budget request; and $773.7 million would be for defense nuclear non-proliferation, a $3.2 million increase. The conferees agree to authorize $6.2 billion for defense environmental management activities, an increase of $435.2 million. The amount authorized for defense environmental management would be: $4.9 billion for defense environmental restoration and waste management, an increase of $939.2 million; $1.1 billion for defense facilities closure projects, an increase of $270.0 million; $659.7 million for site project completion, an increase of $47.7 million; $1.3 billion for post 2006 completion, an increase of $459.0 million; $216.0 million for environmental management and project completion, an increase of $20.0 million; $1.3 million for excess facilities, the amount of the request; $355.8 million for program direction, the amount of the request. The conferees agree to authorize $5.5 billion for defense environmental management privatization, an increase of $12.0 million. The conferees agree to authorize $99.7 million for other defense activities, a decrease of $28.0 million. The amount authorized for other defense activities would include: $250.4 million for security and emergency operations, a decrease of $16.8 million; $49.8 million for the Central Intelligence, a decrease of $11.3 million; $150.0 million for environmental safety and health, a decrease of $1.3 million; $320.0 million for worker and community transition, a decrease of $4.1 million; $22.0 million for the Central Intelligence. The conferees agree to authorize $280.0 million for defense nuclear waste disposal, a decrease of $30.0 million.

The following table summarizes the budget request and the conferees recommendations:
### NATIONAL DEFENSE AUTHORIZATIONS FOR FISCAL YEAR 2002
(In Thousands of Dollars)

<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>DIVISION C -- ATOMIC ENERGY DEFENSE ACTIVITIES (053)</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>National Nuclear Security Administration</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Weapons Activities</td>
<td>5,300,025</td>
<td>5,369,488</td>
<td>5,452,810</td>
<td>43,542</td>
</tr>
<tr>
<td>Defense Nuclear Nonproliferation</td>
<td>773,700</td>
<td>783,700</td>
<td>830,500</td>
<td>3,186</td>
</tr>
<tr>
<td>Naval Reactors</td>
<td>688,045</td>
<td>688,045</td>
<td>688,045</td>
<td>0</td>
</tr>
<tr>
<td>Defense Nuclear Counterintelligence</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Office of the Administrator</td>
<td>15,000</td>
<td>15,000</td>
<td>380,366</td>
<td>297,396</td>
</tr>
<tr>
<td>Total National Nuclear Security Administration</td>
<td>6,776,770</td>
<td>6,869,895</td>
<td>7,351,721</td>
<td>344,324</td>
</tr>
<tr>
<td>Defense Environmental Restoration &amp; Waste Management</td>
<td>4,548,708</td>
<td>4,646,427</td>
<td>4,924,918</td>
<td>393,169</td>
</tr>
<tr>
<td>Defense Facilities Closure Projects</td>
<td>1,050,538</td>
<td>1,050,538</td>
<td>1,080,538</td>
<td>30,000</td>
</tr>
<tr>
<td>Defense Environmental Management Privatization</td>
<td>141,537</td>
<td>126,208</td>
<td>157,537</td>
<td>12,000</td>
</tr>
<tr>
<td>Other Defense Activities</td>
<td>527,614</td>
<td>502,099</td>
<td>501,483</td>
<td>(27,911)</td>
</tr>
<tr>
<td>Defense Nuclear Waste Disposal</td>
<td>310,000</td>
<td>310,000</td>
<td>250,000</td>
<td>(30,000)</td>
</tr>
<tr>
<td>Total DOE/NNSA Discretionary Authorizations</td>
<td>13,355,167</td>
<td>13,505,167</td>
<td>14,266,197</td>
<td>721,542</td>
</tr>
<tr>
<td>Energy Employees Compensation Admin Expenses</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Energy Employees Illness Compensation</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Radiation Exposure Compensation</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Radiation Exposure - Proposed Legislation</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Total Department of Energy/NNSA</td>
<td>13,355,167</td>
<td>13,505,167</td>
<td>14,266,197</td>
<td>721,542</td>
</tr>
<tr>
<td>Defense Nuclear Facilities Safety Board</td>
<td>18,500</td>
<td>18,500</td>
<td>18,500</td>
<td>0</td>
</tr>
<tr>
<td>Formerly Used Sites Remedial Action Program</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Total Atomic Energy Defense Activities (053)</td>
<td>13,373,667</td>
<td>13,523,667</td>
<td>14,284,697</td>
<td>721,542</td>
</tr>
<tr>
<td>National Nuclear Security Administration: Weapons Activities</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>-------------------------------------------------------------</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Directed stockpile work</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Stockpile research and development</td>
<td>305,460</td>
<td>305,460</td>
<td>305,460</td>
<td>---</td>
</tr>
<tr>
<td>Stockpile evaluation</td>
<td>180,834</td>
<td>180,834</td>
<td>178,589</td>
<td>-2,245</td>
</tr>
<tr>
<td>Dismantlement/disposal</td>
<td>35,414</td>
<td>35,414</td>
<td>29,066</td>
<td>-6,348</td>
</tr>
<tr>
<td>Production support</td>
<td>132,890</td>
<td>132,890</td>
<td>134,896</td>
<td>-2,006</td>
</tr>
<tr>
<td>Field engineering, training and manuals</td>
<td>6,700</td>
<td>6,700</td>
<td>6,418</td>
<td>-282</td>
</tr>
<tr>
<td>Total, Directed stockpile work</td>
<td>1,043,791</td>
<td>1,043,791</td>
<td>1,016,922</td>
<td>-41,871</td>
</tr>
<tr>
<td>Campaigns</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Primary certification</td>
<td>55,530</td>
<td>55,530</td>
<td>52,661</td>
<td>-2,870</td>
</tr>
<tr>
<td>Dynamic materials properties</td>
<td>97,610</td>
<td>97,610</td>
<td>93,444</td>
<td>-4,166</td>
</tr>
<tr>
<td>Advanced radiography</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Operations and maintenance</td>
<td>60,510</td>
<td>60,510</td>
<td>60,510</td>
<td>---</td>
</tr>
<tr>
<td>Construction:</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>97-D-102 Dual-axis radiographic hydrotest</td>
<td>---</td>
<td>---</td>
<td>---</td>
<td>---</td>
</tr>
<tr>
<td>ANL, Los Alamos, NM</td>
<td>---</td>
<td>---</td>
<td>---</td>
<td>---</td>
</tr>
<tr>
<td>Total, Advanced radiography</td>
<td>60,510</td>
<td>60,510</td>
<td>60,510</td>
<td>---</td>
</tr>
<tr>
<td>Secondary certification and nuclear systems margins</td>
<td>47,270</td>
<td>47,270</td>
<td>44,524</td>
<td>-2,746</td>
</tr>
<tr>
<td>Enhanced surety</td>
<td>34,797</td>
<td>34,797</td>
<td>34,797</td>
<td>---</td>
</tr>
<tr>
<td>Weapons system engineering certification</td>
<td>24,043</td>
<td>24,043</td>
<td>24,043</td>
<td>---</td>
</tr>
<tr>
<td>Nuclear survivability</td>
<td>19,050</td>
<td>19,050</td>
<td>19,050</td>
<td>---</td>
</tr>
<tr>
<td>Enhanced surveillance</td>
<td>82,333</td>
<td>82,333</td>
<td>82,333</td>
<td>---</td>
</tr>
<tr>
<td>Advanced design and production technologies</td>
<td>75,533</td>
<td>75,533</td>
<td>75,533</td>
<td>---</td>
</tr>
</tbody>
</table>
### Department of Energy National Security Programs

(Dollars in Thousands)

<table>
<thead>
<tr>
<th>FY 2002 Request</th>
<th>House Authorized</th>
<th>Senate Authorized</th>
<th>Conference Change</th>
<th>Conference Authorized</th>
</tr>
</thead>
<tbody>
<tr>
<td>Inertial confinement fusion and high yield</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Operations and maintenance</td>
<td>223,943</td>
<td>232,943</td>
<td>247,443</td>
<td>24,500</td>
</tr>
<tr>
<td>Construction:</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>96-D-111 National ignition facility (NIF), LLLNL, Livermore, CA</td>
<td>245,000</td>
<td>245,000</td>
<td>245,000</td>
<td>---</td>
</tr>
<tr>
<td>Total, Inertial confinement fusion and high yield</td>
<td>467,943</td>
<td>477,943</td>
<td>492,443</td>
<td>24,500</td>
</tr>
<tr>
<td>Advanced simulation and computing</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Operations and maintenance</td>
<td>711,185</td>
<td>711,185</td>
<td>711,185</td>
<td>-36,185</td>
</tr>
<tr>
<td>Construction:</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>01-D-101 Distributed information systems laboratory, SNI, Livermore, CA</td>
<td>5,400</td>
<td>5,400</td>
<td>5,400</td>
<td>---</td>
</tr>
<tr>
<td>00-D-103, Terascale simulation facility, LLLNL, Livermore, CA</td>
<td>5,000</td>
<td>20,000</td>
<td>22,000</td>
<td>17,000</td>
</tr>
<tr>
<td>00-D-105, Strategic computing complex, LLLNL, Los Alamos, NM</td>
<td>11,070</td>
<td>11,070</td>
<td>11,070</td>
<td>---</td>
</tr>
<tr>
<td>00-D-107 Joint computational engineering laboratory, SNI, Albuquerque, NM</td>
<td>5,377</td>
<td>5,377</td>
<td>5,377</td>
<td>---</td>
</tr>
<tr>
<td>Total, Construction</td>
<td>26,847</td>
<td>41,847</td>
<td>43,847</td>
<td>17,000</td>
</tr>
<tr>
<td>Total, Advanced simulation and computing</td>
<td>738,032</td>
<td>753,032</td>
<td>755,032</td>
<td>-19,185</td>
</tr>
<tr>
<td>Pit manufacturing and certification</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Secondary readiness</td>
<td>128,545</td>
<td>128,545</td>
<td>237,713</td>
<td>90,455</td>
</tr>
<tr>
<td>High explosives manufacturing and weapons assembly/disassembly readiness</td>
<td>23,169</td>
<td>23,169</td>
<td>23,169</td>
<td>---</td>
</tr>
<tr>
<td>Total</td>
<td>3,960</td>
<td>3,960</td>
<td>3,960</td>
<td>---</td>
</tr>
<tr>
<td>Department of Energy National Security Programs</td>
<td>FY 2002 Request</td>
<td>House Authorized</td>
<td>Senate Authorized</td>
<td>Conference Change</td>
</tr>
<tr>
<td>-----------------------------------------------</td>
<td>-----------------</td>
<td>-----------------</td>
<td>-----------------</td>
<td>------------------</td>
</tr>
<tr>
<td>Nonnuclear readiness</td>
<td>12,204</td>
<td>12,204</td>
<td>12,204</td>
<td>—</td>
</tr>
<tr>
<td>Materials readiness</td>
<td>1,209</td>
<td>1,209</td>
<td>1,209</td>
<td>—</td>
</tr>
<tr>
<td>Tritium readiness</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Operations and maintenance</td>
<td>43,350</td>
<td>43,350</td>
<td>43,350</td>
<td>-1,000</td>
</tr>
<tr>
<td>Construction:</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>98-D-125 Tritium extraction facility, Savannah</td>
<td>81,125</td>
<td>81,125</td>
<td>81,125</td>
<td>—</td>
</tr>
<tr>
<td>98-D-126 Accelerator production of tritium (APT), various locations</td>
<td>15,000</td>
<td>15,000</td>
<td>15,000</td>
<td>—</td>
</tr>
<tr>
<td>Total, Construction</td>
<td>124,475</td>
<td>139,475</td>
<td>124,475</td>
<td>-1,000</td>
</tr>
<tr>
<td>Total, Tritium readiness</td>
<td>199,613</td>
<td>2,036,413</td>
<td>2,137,300</td>
<td>78,060</td>
</tr>
<tr>
<td>Readiness in technical base and facilities</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Operations of facilities</td>
<td>830,427</td>
<td>830,427</td>
<td>900,427</td>
<td>67,373</td>
</tr>
<tr>
<td>Program readiness</td>
<td>188,126</td>
<td>188,126</td>
<td>197,220</td>
<td>3,874</td>
</tr>
<tr>
<td>Special projects</td>
<td>64,493</td>
<td>64,493</td>
<td>60,385</td>
<td>-4,108</td>
</tr>
<tr>
<td>Material recycle and recovery</td>
<td>101,311</td>
<td>101,311</td>
<td>90,310</td>
<td>-11,001</td>
</tr>
<tr>
<td>Containers</td>
<td>8,199</td>
<td>8,199</td>
<td>8,199</td>
<td>—</td>
</tr>
<tr>
<td>Storage</td>
<td>10,643</td>
<td>10,643</td>
<td>10,643</td>
<td>—</td>
</tr>
<tr>
<td>Nuclear weapons incident response</td>
<td>89,725</td>
<td>89,725</td>
<td>88,923</td>
<td>202</td>
</tr>
<tr>
<td>Subtotal, Readiness in technical base and facilities</td>
<td>1,292,324</td>
<td>1,292,324</td>
<td>1,356,107</td>
<td>55,936</td>
</tr>
</tbody>
</table>
## Department of Energy National Security Programs
(Dollars in Thousands)

<table>
<thead>
<tr>
<th>FY 2002 Request</th>
<th>House Authorized</th>
<th>Senate Authorized</th>
<th>Conference Change</th>
<th>Conference Authorized</th>
</tr>
</thead>
<tbody>
<tr>
<td>Construction:</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>02 D-103 Project engineering and design, various locations</td>
<td>9,180</td>
<td>9,180</td>
<td>31,130</td>
<td>13,650</td>
</tr>
<tr>
<td>02 D-105 Engineering technology complex upgrade, LNL, Livermore, CA</td>
<td>4,750</td>
<td>4,750</td>
<td></td>
<td></td>
</tr>
<tr>
<td>02 D-107 Electrical power systems safety communications and bus upgrades, NV</td>
<td>3,507</td>
<td>3,507</td>
<td>3,507</td>
<td>3,507</td>
</tr>
<tr>
<td>01 D-101 Microsystem and engineering science applications (MESA), SNL</td>
<td>2,000</td>
<td>2,000</td>
<td>39,000</td>
<td>37,000</td>
</tr>
<tr>
<td>01 D-103 Preliminary project design and engineering, various locations</td>
<td>45,379</td>
<td>45,379</td>
<td>16,379</td>
<td>-29,000</td>
</tr>
<tr>
<td>01 D-107 Atlas relocation, Nevada test site, Las Vegas, NV</td>
<td>3,300</td>
<td>3,300</td>
<td></td>
<td></td>
</tr>
<tr>
<td>01 D-124 HEU storage facility, Y-12 plant, Oak Ridge, TN</td>
<td>9,500</td>
<td>9,500</td>
<td></td>
<td></td>
</tr>
<tr>
<td>01 D-126 Weapons evaluation test laboratory, Pantex Plant, Amarillo, TX</td>
<td>7,700</td>
<td>7,700</td>
<td>7,700</td>
<td>7,700</td>
</tr>
<tr>
<td>01 D-800 Sensitive compartmented information facility, LNL</td>
<td>12,993</td>
<td>12,993</td>
<td>12,993</td>
<td></td>
</tr>
</tbody>
</table>

December 12, 2001
<table>
<thead>
<tr>
<th>Department of Energy National Security Programs (Dollars in thousands)</th>
<th>FY 2002 Requested</th>
<th>House Authorized</th>
<th>Senate Authorized</th>
<th>Conference Change</th>
</tr>
</thead>
<tbody>
<tr>
<td>99 D 1.03 Hot and wet sciences facilities, 111-N, Livermore, CA</td>
<td>2,800</td>
<td>2,800</td>
<td>2,800</td>
<td>—</td>
</tr>
<tr>
<td>99 D 1.04 Plant stabilization &amp; system certification center, SNL, Albuquerque, NM</td>
<td>4,955</td>
<td>4,955</td>
<td>4,955</td>
<td>—</td>
</tr>
<tr>
<td>99 D 1.08 Remove existing roads, Nevada Test Site, NV</td>
<td>—</td>
<td>2,000</td>
<td>2,000</td>
<td>—</td>
</tr>
<tr>
<td>99 D 1.25 Replace boilers &amp; controls, Kansas City (City, Kansas City, MO)</td>
<td>300</td>
<td>300</td>
<td>300</td>
<td>—</td>
</tr>
<tr>
<td>99 D 1.27 Stockpile management restructuring initiative, Kansas City (City, Kansas City, MO)</td>
<td>22,200</td>
<td>22,200</td>
<td>22,200</td>
<td>—</td>
</tr>
<tr>
<td>98 D 1.23 Stockpile management restructuring initiative, Savannah River Plant, Aiken, SC</td>
<td>11,700</td>
<td>11,700</td>
<td>11,700</td>
<td>—</td>
</tr>
<tr>
<td>98 D 1.24 Stockpile management restructuring initiative, F-122 Consolidation, Oak Ridge, TN</td>
<td>6,850</td>
<td>6,850</td>
<td>6,850</td>
<td>—</td>
</tr>
<tr>
<td>Description</td>
<td>FY 2002 Request</td>
<td>House Authorized</td>
<td>Senate Authorized</td>
<td>Change</td>
</tr>
<tr>
<td>----------------------------------------------------------------------------</td>
<td>-----------------</td>
<td>------------------</td>
<td>-------------------</td>
<td>--------</td>
</tr>
<tr>
<td>97 D 123 Structural upgrades, Kansas City plant, Kansas City, KS</td>
<td>3,000</td>
<td>3,000</td>
<td>3,000</td>
<td>0</td>
</tr>
<tr>
<td>96 D 102 Stockpile stewardship facilities revitalization, Phase VI, various locations</td>
<td>2,900</td>
<td>2,900</td>
<td>2,900</td>
<td>0</td>
</tr>
<tr>
<td>96 D 101 Processing and environmental technology laboratory, SNL, Albuquerque, NM</td>
<td></td>
<td></td>
<td></td>
<td>0</td>
</tr>
<tr>
<td>95 D 102 Chemistry and metallurgy research</td>
<td></td>
<td></td>
<td></td>
<td>0</td>
</tr>
<tr>
<td>(C M R) upgrades project, LANL, Los Alamos, NM</td>
<td></td>
<td></td>
<td></td>
<td>0</td>
</tr>
<tr>
<td>Total, Construction</td>
<td>154,664</td>
<td>154,664</td>
<td>177,114</td>
<td>22,200</td>
</tr>
<tr>
<td>Total, Readiness in technical base and facilities</td>
<td>1,446,988</td>
<td>1,446,988</td>
<td>1,533,221</td>
<td>78,136</td>
</tr>
<tr>
<td>Total, Stewardship operation and maintenance</td>
<td>4,487,192</td>
<td>4,527,192</td>
<td>4,687,443</td>
<td>114,679</td>
</tr>
<tr>
<td>Secure transportation asset</td>
<td></td>
<td></td>
<td></td>
<td>0</td>
</tr>
<tr>
<td>Operations and equipment</td>
<td>77,571</td>
<td>77,571</td>
<td>77,571</td>
<td>0</td>
</tr>
<tr>
<td>Program direction</td>
<td>44,229</td>
<td>44,229</td>
<td>44,229</td>
<td>0</td>
</tr>
<tr>
<td>Total, Secure transportation asset</td>
<td>121,800</td>
<td>121,800</td>
<td>77,571</td>
<td>0</td>
</tr>
<tr>
<td>Safeguards and security</td>
<td></td>
<td></td>
<td></td>
<td>0</td>
</tr>
<tr>
<td>Operations and maintenance</td>
<td>439,281</td>
<td>439,281</td>
<td>439,281</td>
<td>0</td>
</tr>
<tr>
<td>Construction:</td>
<td></td>
<td></td>
<td></td>
<td>0</td>
</tr>
<tr>
<td>99 D 112 SMRI nuclear material safeguards and security upgrade project, LANL, Los Alamos, NM</td>
<td>9,600</td>
<td>9,600</td>
<td>9,600</td>
<td>0</td>
</tr>
<tr>
<td>88 D 123 Security enhancements, Pantex Plant, Amarillo, TX</td>
<td></td>
<td></td>
<td></td>
<td>0</td>
</tr>
<tr>
<td>Total, Construction</td>
<td>9,600</td>
<td>9,600</td>
<td>9,600</td>
<td>0</td>
</tr>
<tr>
<td>Department of Energy National Security Programs</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>------------------------------------------------</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>(Dollars in Thousands)</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>FY 2002 Request</td>
<td>House Authorized</td>
<td>Senate Authorized</td>
<td>Conference Change</td>
<td>Conference Authorized</td>
</tr>
<tr>
<td>-----------------------</td>
<td>------------------</td>
<td>-------------------</td>
<td>-------------------</td>
<td>-----------------------</td>
</tr>
<tr>
<td>Total, Safeguards and security.....................</td>
<td>448,881</td>
<td>448,881</td>
<td>448,881</td>
<td>448,881</td>
</tr>
<tr>
<td>Program direction..................................</td>
<td>271,137</td>
<td>250,000</td>
<td>-271,137</td>
<td>-271,137</td>
</tr>
<tr>
<td>Facilities and Infrastructure.....................</td>
<td></td>
<td>50,600</td>
<td>267,000</td>
<td>200,000</td>
</tr>
<tr>
<td>Adjustments</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Use of prior year balances/reduction................</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Total, Weapons Activities................................</td>
<td>5,300,025</td>
<td>5,369,488</td>
<td>5,452,810</td>
<td>43,542</td>
</tr>
</tbody>
</table>
### Department of Energy National Security Programs

(Dollars in Thousands)

<table>
<thead>
<tr>
<th>FY 2002 Request</th>
<th>House Authorized</th>
<th>Senate Authorized</th>
<th>Conference Change</th>
<th>Conference Authorized</th>
</tr>
</thead>
</table>

#### Defense Nuclear Nonproliferation

**Nonproliferation and national security**

- **Nonproliferation and verification R&D**
  - Operation and maintenance
    - FY 2002: 170,296
  - Construction:
    - 00-D-192 Nonproliferation and international security center (HNSC), LANI
      - FY 2002: 35,806
  - Total, Nonproliferation & verification R&D
    - FY 2002: 206,102

- **Arms control and Russian Transition Initiative**
  - FY 2002: 101,500

- **International materials protection, control, and accounting**
  - FY 2002: 138,800

- **HEU transparency implementation**
  - FY 2002: 13,950

- **International nuclear safety**
  - FY 2002: 13,800

- **Soviet design reactor safety program**

- **Total, Nonproliferation and national security**
  - FY 2002: 474,152

#### Fissile Materials Disposition

- **US surplus materials disposition**
  - FY 2002: 130,089

- **Russian surplus materials disposition**
  - FY 2002: 57,000

  **Construction**
  - 01-D-407 Highly enriched uranium (HEU) blend down, Savannah River, SC
    - FY 2002: 24,000
  - 01-D-142, Immobilization and associated processing facility, SRS
    - FY 2002: 3,000
<table>
<thead>
<tr>
<th>Department of Energy National Security Programs</th>
<th>FY 2002 Request</th>
<th>House Authorized</th>
<th>Senate Authorized</th>
<th>Conference Change</th>
<th>Conference Authorized</th>
</tr>
</thead>
<tbody>
<tr>
<td>99.D-141 Pit disassembly and conversion facility, Savannah River site</td>
<td>16,000</td>
<td>16,000</td>
<td>16,000</td>
<td>-5,000</td>
<td>11,000</td>
</tr>
<tr>
<td>99.D-143 Mixed oxide fuel fabrication facility, Savannah River site</td>
<td>63,000</td>
<td>63,000</td>
<td>63,000</td>
<td>-</td>
<td>63,000</td>
</tr>
<tr>
<td>Total, Construction</td>
<td>103,000</td>
<td>106,000</td>
<td>103,000</td>
<td>-5,000</td>
<td>98,000</td>
</tr>
<tr>
<td>Total, Fissile materials disposition</td>
<td>290,089</td>
<td>293,089</td>
<td>299,089</td>
<td>1,000</td>
<td>289,089</td>
</tr>
<tr>
<td>Program direction</td>
<td>51,459</td>
<td>51,459</td>
<td>-51,459</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>Subtotal, Defense Nuclear Nonproliferation</td>
<td>815,700</td>
<td>825,700</td>
<td>872,500</td>
<td>3,186</td>
<td>818,886</td>
</tr>
<tr>
<td>Use of prior year balances</td>
<td>-42,000</td>
<td>-42,000</td>
<td>-42,000</td>
<td>-</td>
<td>-42,000</td>
</tr>
<tr>
<td>Total, Defense Nuclear Nonproliferation</td>
<td>773,700</td>
<td>783,700</td>
<td>830,500</td>
<td>3,186</td>
<td>776,886</td>
</tr>
</tbody>
</table>

Naval Reactors

<table>
<thead>
<tr>
<th>Naval reactors development</th>
<th>FY 2002 Request</th>
<th>House Authorized</th>
<th>Senate Authorized</th>
<th>Conference Change</th>
<th>Conference Authorized</th>
</tr>
</thead>
<tbody>
<tr>
<td>Operation and maintenance</td>
<td>652,245</td>
<td>652,245</td>
<td>652,245</td>
<td>-</td>
<td>652,245</td>
</tr>
<tr>
<td>Construction:</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>01.D-200 Major office replacement building, Schenectady, NY</td>
<td>9,000</td>
<td>9,000</td>
<td>9,000</td>
<td>-</td>
<td>9,000</td>
</tr>
<tr>
<td>90.N-102 Expend core facility dry cell project, Naval Reactors Facility, ID</td>
<td>4,200</td>
<td>4,200</td>
<td>4,200</td>
<td>-</td>
<td>4,200</td>
</tr>
<tr>
<td>Total, Construction</td>
<td>13,200</td>
<td>13,200</td>
<td>13,200</td>
<td>-</td>
<td>13,200</td>
</tr>
<tr>
<td>Total, Naval reactors development</td>
<td>665,445</td>
<td>665,445</td>
<td>665,445</td>
<td>-</td>
<td>665,445</td>
</tr>
<tr>
<td>Program direction</td>
<td>22,600</td>
<td>22,600</td>
<td>22,600</td>
<td>-</td>
<td>22,600</td>
</tr>
<tr>
<td>Total, Naval Reactors</td>
<td>688,045</td>
<td>688,045</td>
<td>688,045</td>
<td>-</td>
<td>688,045</td>
</tr>
</tbody>
</table>

Defense Nuclear Counterintelligence | | | | | 13,662 |
### Department of Energy National Security Programs
(Dollars in Thousands)

<table>
<thead>
<tr>
<th></th>
<th>FY 2002 Request</th>
<th>House Authorized</th>
<th>Senate Authorized</th>
<th>Conference Change</th>
<th>Conference Authorized</th>
</tr>
</thead>
<tbody>
<tr>
<td>Office of the Administrator</td>
<td>15,000</td>
<td>15,000</td>
<td>380,366</td>
<td>297,396</td>
<td>312,396</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Total, National Nuclear Security Administration</td>
<td>6,776,770</td>
<td>6,869,895</td>
<td>7,151,721</td>
<td>344,324</td>
<td>7,121,094</td>
</tr>
</tbody>
</table>


## Department of Energy National Security Programs
### (Dollars in Thousands)

<table>
<thead>
<tr>
<th>Description</th>
<th>FY 2002 Request</th>
<th>House Authorized</th>
<th>Senate Authorized</th>
<th>Conference Change</th>
<th>Conference Authorized</th>
</tr>
</thead>
<tbody>
<tr>
<td>Defense Environmental Restoration and Waste Management Site/project completion</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Operation and maintenance</td>
<td>872,030</td>
<td>872,030</td>
<td>919,030</td>
<td>47,000</td>
<td>919,010</td>
</tr>
<tr>
<td>Construction</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>02 D-402 Inter cathodic protection system expansion project, INEEL, Idaho Falls, ID</td>
<td>3,256</td>
<td>3,256</td>
<td>3,256</td>
<td>-</td>
<td>3,256</td>
</tr>
<tr>
<td>02 D-420 Plutonium packaging and stabilization project, Savannah River, SC</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>01 D-414 Preliminary project, engineering and design (PE&amp;D), various locations</td>
<td>6,254</td>
<td>10,254</td>
<td>6,254</td>
<td>-3,000</td>
<td>2,754</td>
</tr>
<tr>
<td>99 D-402 Tank farm support services, F&amp;H area, Savannah River Site, Aiken, SC</td>
<td>5,040</td>
<td>5,040</td>
<td>5,040</td>
<td></td>
<td>5,040</td>
</tr>
<tr>
<td>99 D-404 Health physics instrumentation laboratory, INEEL, ID</td>
<td>2,700</td>
<td>2,700</td>
<td>2,700</td>
<td></td>
<td>2,700</td>
</tr>
<tr>
<td>98 D-453 Plutonium stabilization and handling system for IPP, Richland, WA</td>
<td>1,910</td>
<td>1,910</td>
<td>1,910</td>
<td></td>
<td>1,910</td>
</tr>
<tr>
<td>97 D-470 Regulatory monitoring and bioassay laboratory, Savannah River Site, Aiken, SC</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>96 D-471 HVAC/chiller retrofit, Savannah River Site, Aiken, SC</td>
<td>4,244</td>
<td>4,244</td>
<td>4,244</td>
<td></td>
<td>4,244</td>
</tr>
</tbody>
</table>
### Department of Energy National Security Programs

(Dollars in Thousands)

<table>
<thead>
<tr>
<th>Description</th>
<th>FY 2002 Request</th>
<th>House Authorized</th>
<th>Senate Authorized</th>
<th>Conference Change</th>
<th>Conference Authorized</th>
</tr>
</thead>
<tbody>
<tr>
<td>92 D-140 E&amp;H canyon exhaust upgrades, Savannah River, SC</td>
<td>15,790</td>
<td></td>
<td></td>
<td>15,790</td>
<td></td>
</tr>
<tr>
<td>86 D-103 Decontamination and waste treatment facility, 11 NL, Livermore, CA</td>
<td>762</td>
<td>762</td>
<td>762</td>
<td></td>
<td>762</td>
</tr>
<tr>
<td>Total, Construction</td>
<td>39,956</td>
<td>48,166</td>
<td>24,166</td>
<td>710</td>
<td>40,666</td>
</tr>
<tr>
<td>Total, Site/project completion</td>
<td>911,986</td>
<td>920,196</td>
<td>943,196</td>
<td>47,710</td>
<td>959,696</td>
</tr>
<tr>
<td>Post 2006 completion</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Operation and maintenance</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Uranium enrichment D&amp;D fund contribution, Construction</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>93 D-187 High-level waste removal from filled waste tanks, Savannah River, SC</td>
<td>6,754</td>
<td>6,754</td>
<td>6,754</td>
<td></td>
<td>6,754</td>
</tr>
<tr>
<td>Total, Construction</td>
<td>6,754</td>
<td>6,754</td>
<td>6,754</td>
<td></td>
<td>6,754</td>
</tr>
<tr>
<td>Office of River protection</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Operation and maintenance</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>97 D-407 Waste treatment and immobilization plant, Richland, WA</td>
<td>33,473</td>
<td>33,473</td>
<td>33,473</td>
<td></td>
<td>33,473</td>
</tr>
</tbody>
</table>
### Department of Energy National Security Programs

(Dollars in Thousands)

<table>
<thead>
<tr>
<th></th>
<th>FY 2002 Request</th>
<th>House Authorized</th>
<th>Senate Authorized</th>
<th>Conference Change</th>
<th>Conference Authorized</th>
</tr>
</thead>
<tbody>
<tr>
<td>94 D-407 Initial tank retrieval systems, Richland, WA</td>
<td>6,844</td>
<td>6,844</td>
<td>6,844</td>
<td>---</td>
<td>6,844</td>
</tr>
<tr>
<td><strong>Total, Construction</strong></td>
<td>540,317</td>
<td>560,317</td>
<td>540,317</td>
<td>20,000</td>
<td>560,317</td>
</tr>
<tr>
<td><strong>Total, Office of river protection</strong></td>
<td>812,468</td>
<td>812,468</td>
<td>862,468</td>
<td>70,000</td>
<td>882,468</td>
</tr>
<tr>
<td><strong>Total, Post 2006 completion</strong></td>
<td>2,920,201</td>
<td>3,021,201</td>
<td>3,245,201</td>
<td>345,000</td>
<td>3,265,201</td>
</tr>
<tr>
<td><strong>Science and technology</strong></td>
<td>196,000</td>
<td>196,000</td>
<td>216,000</td>
<td>20,000</td>
<td>216,000</td>
</tr>
<tr>
<td><strong>Excess facilities</strong></td>
<td>1,300</td>
<td>1,300</td>
<td>1,300</td>
<td>---</td>
<td>1,300</td>
</tr>
<tr>
<td><strong>Safeguards and security</strong></td>
<td>205,621</td>
<td>205,621</td>
<td>205,621</td>
<td>---</td>
<td>205,621</td>
</tr>
<tr>
<td><strong>Program direction</strong></td>
<td>355,761</td>
<td>355,761</td>
<td>355,761</td>
<td>---</td>
<td>355,761</td>
</tr>
<tr>
<td><strong>Subtotal, Defense environmental restoration and waste management</strong></td>
<td>4,590,869</td>
<td>4,700,079</td>
<td>4,967,079</td>
<td>417,110</td>
<td>5,003,579</td>
</tr>
<tr>
<td><strong>Use of prior year balances/reduction</strong></td>
<td>-36,770</td>
<td>-36,770</td>
<td>-36,770</td>
<td>-19,341</td>
<td>-56,111</td>
</tr>
<tr>
<td><strong>Pension refund</strong></td>
<td>---</td>
<td>---</td>
<td>---</td>
<td>---</td>
<td>---</td>
</tr>
<tr>
<td><strong>Less security charge for reimbursable work</strong></td>
<td>-3,391</td>
<td>-3,391</td>
<td>-3,391</td>
<td>---</td>
<td>-3,391</td>
</tr>
<tr>
<td><strong>Total, Defense Environmental Restoration and Waste Management</strong></td>
<td>4,548,708</td>
<td>4,646,427</td>
<td>4,924,918</td>
<td>393,169</td>
<td>4,941,877</td>
</tr>
<tr>
<td><strong>Defense Facilities Closure Projects</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Site closure</strong></td>
<td>1,004,636</td>
<td>1,004,636</td>
<td>1,034,636</td>
<td>30,000</td>
<td>1,034,636</td>
</tr>
<tr>
<td><strong>Safeguards and security</strong></td>
<td>45,902</td>
<td>45,902</td>
<td>45,902</td>
<td>---</td>
<td>45,902</td>
</tr>
<tr>
<td><strong>Total, Defense Facilities Closure Projects</strong></td>
<td>1,050,538</td>
<td>1,050,538</td>
<td>1,080,538</td>
<td>30,000</td>
<td>1,080,538</td>
</tr>
<tr>
<td><strong>Defense Environmental Management Privatization</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Privatization initiatives, various locations</strong></td>
<td>141,537</td>
<td>126,208</td>
<td>157,537</td>
<td>12,000</td>
<td>153,537</td>
</tr>
<tr>
<td><strong>Use of prior year balances</strong></td>
<td>---</td>
<td>---</td>
<td>---</td>
<td>---</td>
<td>---</td>
</tr>
<tr>
<td><strong>Rescission</strong></td>
<td>---</td>
<td>---</td>
<td>---</td>
<td>---</td>
<td>---</td>
</tr>
<tr>
<td><strong>Total, Defense Environmental Management</strong></td>
<td>141,537</td>
<td>126,208</td>
<td>157,537</td>
<td>12,000</td>
<td>153,537</td>
</tr>
<tr>
<td><strong>Total, Defense Environmental Management</strong></td>
<td>5,740,783</td>
<td>5,823,173</td>
<td>6,162,993</td>
<td>435,169</td>
<td>6,175,952</td>
</tr>
</tbody>
</table>
### Department of Energy National Security Programs (Dollars in Thousands)

<table>
<thead>
<tr>
<th>Other Defense Activities</th>
<th>FY 2002 Request</th>
<th>House Authorized</th>
<th>Senate Authorized</th>
<th>Conference Change</th>
<th>Conference Authorized</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Security and emergency operations</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Nuclear safeguards and security</td>
<td>121,188</td>
<td>121,188</td>
<td>121,188</td>
<td>-4,688</td>
<td>116,500</td>
</tr>
<tr>
<td>Security investigations</td>
<td>44,927</td>
<td>44,927</td>
<td>44,927</td>
<td></td>
<td>44,927</td>
</tr>
<tr>
<td>Corporate management information program</td>
<td>20,000</td>
<td>20,000</td>
<td></td>
<td>-10,000</td>
<td>10,000</td>
</tr>
<tr>
<td>Emergency management</td>
<td>83,135</td>
<td>83,135</td>
<td>81,450</td>
<td>-1,115</td>
<td>79,000</td>
</tr>
<tr>
<td>Total, Security and emergency operations</td>
<td>269,250</td>
<td>269,250</td>
<td>247,565</td>
<td>-18,823</td>
<td>250,427</td>
</tr>
<tr>
<td><strong>Intelligence</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Counterintelligence</td>
<td>46,389</td>
<td>46,389</td>
<td>46,389</td>
<td>-389</td>
<td>46,000</td>
</tr>
<tr>
<td>Advanced accelerator applications</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Total, Intelligence</td>
<td>14,904</td>
<td>14,904</td>
<td>14,904</td>
<td></td>
<td>14,904</td>
</tr>
<tr>
<td><strong>Independent oversight and performance assurance</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Independent oversight and performance assurance</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Program direction</td>
<td>14,904</td>
<td>14,904</td>
<td>14,904</td>
<td></td>
<td>14,904</td>
</tr>
<tr>
<td>Total, Independent oversight and performance assurance</td>
<td>14,904</td>
<td>14,904</td>
<td>14,904</td>
<td></td>
<td>14,904</td>
</tr>
<tr>
<td><strong>Environment, safety and health</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Office of Environment, safety and health (defense)</td>
<td>91,307</td>
<td>84,500</td>
<td>91,307</td>
<td></td>
<td>91,307</td>
</tr>
<tr>
<td>Program direction</td>
<td>23,293</td>
<td>20,793</td>
<td>23,293</td>
<td>-1,293</td>
<td>22,000</td>
</tr>
<tr>
<td>Total, Environment, safety and health</td>
<td>114,600</td>
<td>105,293</td>
<td>114,600</td>
<td>-1,293</td>
<td>113,307</td>
</tr>
<tr>
<td><strong>Worker and community transition</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Worker and community transition</td>
<td>21,246</td>
<td>19,000</td>
<td>18,000</td>
<td>-3,246</td>
<td>18,000</td>
</tr>
<tr>
<td>Program direction</td>
<td>3,200</td>
<td>2,900</td>
<td>2,000</td>
<td>-1,200</td>
<td>2,000</td>
</tr>
<tr>
<td>Total, Worker and community transition</td>
<td>24,446</td>
<td>21,900</td>
<td>20,000</td>
<td>-4,446</td>
<td>20,000</td>
</tr>
</tbody>
</table>
## Department of Energy National Security Programs

(Dollars in Thousands)

<table>
<thead>
<tr>
<th></th>
<th>FY 2002 Request</th>
<th>House Authorized</th>
<th>Senate Authorized</th>
<th>Conference Change</th>
<th>Conference Authorized</th>
</tr>
</thead>
<tbody>
<tr>
<td>National security programs administration support</td>
<td>25,000</td>
<td>25,000</td>
<td>25,000</td>
<td>-1,000</td>
<td>22,000</td>
</tr>
<tr>
<td>Office of hearings and appeals</td>
<td>2,893</td>
<td>2,893</td>
<td>2,893</td>
<td>-2,893</td>
<td>2,893</td>
</tr>
<tr>
<td><strong>Subtotal, Other defense activities</strong></td>
<td><strong>538,326</strong></td>
<td><strong>512,811</strong></td>
<td><strong>512,195</strong></td>
<td><strong>-27,951</strong></td>
<td><strong>510,375</strong></td>
</tr>
<tr>
<td><strong>Adjustments:</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Use of prior year balances</td>
<td>-10,000</td>
<td>-10,000</td>
<td>-10,000</td>
<td></td>
<td>-10,000</td>
</tr>
<tr>
<td>Less security charge for reimbursable work</td>
<td>-712</td>
<td>-712</td>
<td>-712</td>
<td></td>
<td>-712</td>
</tr>
<tr>
<td><strong>Total, Adjustments</strong></td>
<td><strong>-10,712</strong></td>
<td><strong>-10,712</strong></td>
<td><strong>-10,712</strong></td>
<td></td>
<td><strong>-10,712</strong></td>
</tr>
<tr>
<td><strong>Total, Other Defense Activities</strong></td>
<td><strong>527,614</strong></td>
<td><strong>502,099</strong></td>
<td><strong>501,483</strong></td>
<td><strong>-27,951</strong></td>
<td><strong>499,663</strong></td>
</tr>
</tbody>
</table>

### Defense Nuclear Waste Disposal

| Defense nuclear waste disposal | 310,000 | 310,000 | 250,000 | -30,000 | 280,000 |

**Total, Environmental and Other Defense Activities**

| 6,578,397 | 6,635,272 | 6,914,476 | 377,218 | 6,955,615 |

**TOTAL, Atomic Energy Defense Activities**

| 13,355,167 | 13,505,167 | 14,266,197 | 721,542 | 14,076,709 |
Other defense activities (sec. 3103)

The budget request included $538.3 million for other defense activities, subject to reductions and offsets.

The Senate bill contained a provision (sec. 3103) that would authorize $512.2 million for other defense activities, subject to reductions and offsets.

Other defense activities (sec. 3103)

The budget request included $538.3 million for other defense activities, subject to reductions and offsets.

The Senate bill contained a provision (sec. 3103) that would authorize $512.2 million for other defense activities, subject to reductions and offsets.

Limits on construction projects (sec. 3123)

The Senate bill contained a provision (sec. 3123) that would permit any construction project to be initiated and continued only if the estimated cost for the project does not exceed 125 percent of the higher of the amount authorized for the project or the most recent total estimated cost presented to the Congress as justification for such project.

The conference agreement includes this provision.

The Senate bill contained a provision (sec. 3124) that would require funds authorized by the Act that may be transferred between the authorizations of the agency to which they are transferred. The provision would also limit, to not more than five percent of the amount authorized for each program, any funds transferred to other agencies by the Act that may be transferred between authorization accounts within the Department of Energy.

The conference agreement includes this provision.

The conference agreement includes this provision.

The Senate bill contained a provision (sec. 3125) that would require the Secretary of Energy to submit immediately a report to the Congress including details of any minor construction project is revised so that the cost of the project exceeds $5.0 million.

The conference agreement includes this provision.

The conference agreement includes this provision.
funds available to the Department of Energy (DOE) pursuant to sections 3101–3104 of title XXXI, including those funds authorized for advanced planning and construction design, whereby the House determines that the design must proceed expeditiously to protect the public health and safety, to meet the needs of national defense, or to protect property. The House amendment contained a similar provision that would provide the authority to the DOE/NNSA manager to make one transfer per year and use this authority up to three times per fiscal year.

The House recedes. Funds available for all national security programs of the Department of Energy (sec. 3127)

The Senate bill contained a provision (sec. 3127) that would authorize, subject to section 3123 of title XXXI of this Act, amounts appropriated for management and support activities and for general plant projects to be made available for use in connection with all national security programs of the Department of Energy. The House amendment contained a similar provision that included funds authorized pursuant to sections 3101–3103 of title XXXI (sec. 3126).

The House recedes.

Availability of funds (sec. 3128)

The House amendment contained a provision (sec. 3128) that would authorize amounts appropriated for operating expenses for plant and capital equipment for the Department of Energy to remain available until expended. Program direction funds would remain available until the end of fiscal year 2003.

The Senate bill contained a similar provision that would allow program direction funds available until the end of fiscal year 2004.

The House recedes. Transfer of defense environmental management funds (sec. 3129)

The Senate bill contained a provision (sec. 3129) that would provide the manager of each Department of Energy (DOE) field office with limited authority to transfer up to $5.0 million in fiscal year 2002 defense environmental management funds from one program or project. The DOE manager could use this authority to transfer funds outside of the normal reprogramming process three times in a fiscal year.

The House amendment contained a provision (sec. 3129) that would provide the manager of the DOE field office authority to make one transfer per fiscal year.

The House recedes. The conference agreement includes this provision.

Transfer of defense environmental management funds

The Senate bill contained a provision (sec. 3129) that would provide the manager of each Department of Energy (DOE) field office with limited authority to transfer up to $5.0 million in fiscal year 2002 defense environmental management funds from one program or project. The DOE manager could use this authority to transfer funds outside of the normal reprogramming process three times in a fiscal year.

The House amendment contained a provision (sec. 3129) that would provide the manager of each DOE field office authority to make one transfer per fiscal year.

The House recedes.

The conference agreement includes this provision.

Limitation on availability of funds for weapons activities for facilities and infrastructure (sec. 3133)

The Senate bill contained a provision (sec. 3131) that would provide authority for the DOE/NNSA manager to make one transfer per year.

Subtitle C—Program Authorizations, Restrictions, and Limitations

Consolidation of Nuclear Cities Initiative program with Initiatives for Proliferation Prevention program (sec. 3131)

The Senate bill contained a provision (sec. 3133) that would consolidate the Nuclear Cities Initiative (NCI) program and the Initiatives for Proliferation Prevention (IPP) program under a common management structure by July 1, 2002.

The Senate bill contained no similar provision, but included language in Senate Report No. 107–107 (s/a). That report directed the Administrator of the National Nuclear Security Administration to consolidate the management of the IPP and the NCI programs under a single management division. The conferees believe, however, that these two programs should remain separate, have different funding lines within the division, retain their individual programs and missions established by statute and retain separate program managers. The two managers should report to a single manager. The conferees note that the DOE/NNSA management team already begun to implement this direction.

In order to maintain the two program identities, the conferees direct the Deputy Administrator for Nonproliferation to submit a plan to the congressional defense committees 30 days prior to obligating fiscal year 2002 funds, for each program to dissolve administrative support (sec. 3134) and until the Secretary submits a justification document for the national security programs administrative support pursuant to section 3109(a)(8) of this Act until such time as the Secretary submits the future years nuclear security program required by section 3233 of the National Nuclear Security Act (Title XXXII of Public Law 106–55) and until the Secretary submits a report requesting for the fiscal year 2002 funds authorized to be appropriated for national security programs administrative support activities describing the activities to be carried out with the funds authorized.

The House recedes. The Senate recedes with an amendment that would add an additional condition to be met by the Secretary before obligating more than $5.0 million of the funds authorized to be appropriated for this activity. The conferees agree that this authority to transfer funds would not allow the Secretary on the feasibility of using an energy savings performance contract mechanism to offset or possibly cover the cost of a new building for the Los Alamos operations office of the Department of Energy (DOE) has not been submitted. This report was requested in Senate Report 106–56, the report of the Committees on Armed Services of the Senate to accompany S. 1069, the National Defense Authorization Act for Fiscal Year 2000. The amendment would direct the Secretary to submit this report as the third prerequisite to spending more than $5.0 million of the funds authorized.

Termination date of Office of River Protection, Metropilitan Washington (sec. 3135)

The House amendment contained a provision (sec. 3131) that would extend the statutory termination date of the Office of River Protection from September 30, 2004 to September 30, 2010 or upon determination that continuation of the Office is no longer necessary to carry out the Department Of Energy responsibilities under the Hanford Federal Facility Compliance Agreement, whichever is later.

The Senate bill contained no similar provision.

Support for public education in the vicinity of Los Alamos National Laboratory, New Mexico (sec. 3136)

The Senate bill contained a provision (sec. 3136) that would extend the period of time in which the Department of Energy (DOE) may make contributions to the Los Alamos Education Foundation and authorizes $6.5 million in additional amounts consistent with the budget request, to be paid to the Foundation in fiscal year 2002. In addition, the provision would authorize $8.0 million for the fiscal year 2002 period that could be made from funds available to the DOE to offset cost of living expenses for school teachers at the Los Alamos Public Schools. The provision would also allow the Los Alamos Public Schools to utilize the funds available to the DOE/NNSA manager to make one transfer per year.
year 2004. The provision would also require the Secretary of Energy to submit a report evaluating and making recommendations for future payments to the Foundation and the school.

The House amendment contained a similar provision (sec. 3135) that would authorize the Secretary of Energy to pay $5.0 million to the Los Alamos Public Schools. The provision would allow the DOE to extend the current contract with the schools through fiscal year 2003. The provision would also require a report.

The Senate recedes with an amendment that would authorize a payment of $6.9 million to the Los Alamos Public Schools for fiscal year 2002 and that would direct the Secretary to submit the required report by March 1, 2002.

Reports on achievement of milestones for National Ignition Facility (sec. 3137)

The Senate bill contained a provision (sec. 3136) that would direct the Administrator of the National Nuclear Security Administration to notify the congressional defense committees when the National Ignition Facility (NIF) achieves each level one and level two milestone.

The House amendment contained no similar provision.

The Senate recedes with an amendment that would terminate the notification requirement at the end of fiscal year 2004.

The provision designated the end date of the reporting obligation to coincide with the date on which the NIF should achieve first light of the laser.

Subtitle D—Matters Relating to Management of the National Nuclear Security Administration

Establishment of Principal Deputy Administrator of National Nuclear Security Administration (sec. 3141)

The Senate bill contained a provision (sec. 3141) that would establish a Principal Deputy Administrator for nuclear security at the National Nuclear Security Administration (NNSA). The new position would be appointed by the President with the advice and consent of the Senate.

The House amendment contained a similar provision (sec. 3132(a)) that would establish the position and spell out qualifications for the individual to be appointed to that position.

The Senate recedes with an amendment that would require that the person appointed for the position has extensive background in organizational management and is well-qualified to manage the nuclear weapons programs, nonproliferation, and material disposition programs of the NNSA.

Elimination of requirement that national security laboratories and nuclear weapons production facilities report to Deputy Administrator for Defense Programs (sec. 3142)

The Senate bill contained a provision (sec. 3142) that would amend section 3214 of the National Nuclear Security Administration Act by striking subsection (c), which directs the contractor managers and directors of the National Nuclear Security Administration weapons production plants and national laboratories to report to the Deputy Administrator for Defense Programs.

The House amendment contained an identical provision (sec. 3132(b)).

The conference agreement includes this provision.

Repeat of duplicative provision relating to dual office holding by personnel of National Nuclear Security Administration (sec. 3143)

The House amendment contained a provision (sec. 3132(c)) that would repeal a duplicative statutory prohibition on the ability of non-National Nuclear Security Administration (NNSA) employees of the Department of Energy to serve concurrently in the NNSA.

The Senate bill contained no similar provision.

The Senate recedes.

Report on adequacy of federal pay and hiring authorities for members of the National Nuclear Security Administration (sec. 3144)

The Senate bill contained a provision (sec. 3144) that would amend section 3241 of the National Nuclear Security Administration Act to allow the National Nuclear Security Administration (NNSA) to expand the number of scientific and technical positions from the current 300 positions to 500 positions.

The House amendment contained no similar provision.

The House recedes with an amendment that would require that the Administrator of the NNSA to create greater NNSA to prepare a report on what hiring and pay authorities are available to the NNSA, what authorities are being used, and what additional authorities are required.

The conferees believe that the Administrator should work with the Office of Personnel Management to determine the appropriate positions in the NNSA.

The conferees are aware that the Administrator would like to convert all federal employees of the NNSA to an excepted service status. The conferees should discuss the Administrator’s plans and options for appropriate pay and hiring authorities at the NNSA.

Subtitle E—Other Matters

Improvements to energy employees occupational illness compensation program (sec. 3151)

The Senate bill contained a provision (sec. 3151) that would amend the Energy Employees Occupational Illness Compensation Program Act of 2000 (EEOICPAct XXXVI of the Floyd D. Spence National Defense Authorization Act for Fiscal Year 2001); these amendments were designed to create greater parity between certain provisions in the EEOICPAct and similar provisions in the Radiation Employees Compensation Act.

The House amendment contained no similar provision.

The House recedes with an amendment.

The conference agree to include language to amend the EEOICPAct in several areas, including: revising the threshold standard for determining if a covered employee has contracted silicosis; clarifying that the EEOICPAct’s covered occupational illness that results from the individual discovering that the individual has a covered occupational illness compensation under the EEOICPAct. Under such a circumstance, the plaintiff would be eligible to seek compensation under the EEOICPAct if the non-voluntary dismissal occurs prior to December 31, 2003. The provision would also amend certain provisions of the EEOICPAct unless the case is dismissed by the individual before the last permissible date. The last permissible date is the later of April 30, 2003 or 30 months after discovering that the individual has a covered illness that results from the individual’s covered occupational exposure.

In addition, the provision would provide that if the individual files a tort case after the date of enactment of this Act, the individual is not entitled to any compensation if there is a final court decision adverse to the plaintiff rendered prior to the last permissible date for a voluntary dismissal. The last permissible date for a voluntary dismissal is the later of April 30, 2003 or 30 months after discovering that the individual has a covered illness that results from the individual’s covered occupational exposure.

The provision would amend section 3648 of the EEOICPAct to clarify that the two-percent limitation on attorney’s fees applies only to initial claims for lump-sum compensation and that the ten- percent limitation on attorney fees applies to assistance provided with respect to a voluntary dismissal of a lump-sum compensation.

The provision would also clarify that the limitations on attorney fees do not apply to rates for services rendered for matters not pertaining to or in connection with lump-sum claims.

Finally, the provision would require the National Institute for Occupational Safety and Health to conduct a study in coordination with the Department of Energy (DOE) and the Department of Labor to determine whether there is a risk of individual contamination at beryllium vendors or atomic weapons employer facilities that...
could have caused or substantially contributed to the cancer or beryllium illness of a covered employee. An interim report is due 180 days after enactment of this Act, and the final report is due one year after the date of enactment.

The conferees are aware of draft regulations promulgated by the DOE and intended to implement the provisions of subtitle D of the EEOICPA. The conferees are concerned that the DOE appears to have misinterpreted the intent of Congress in this area. Subtitle D was intended to provide an alternative to federal state workers compensation systems that prevent workers with occupational illnesses from receiving assistance from these systems. In implementing the DOE should provide the same or similar procedural barriers that subtitle D was designed to remove or overcome.

Department of Energy counterintelligence polygraph program (sec. 3152)

The Senate bill contained a provision (sec. 3152) that would direct the Secretary of Energy to develop a new interim polygraph program, and then establish a new permanent polygraph program. The new permanent program would be established by regulations issued pursuant to the Administrative Procedures Act. The provision was not included in the Administration's Request, since the DOE has already implemented the final rule and the DOE could not implement any similar provisions. The Senate amendment would require the Secretary to prepare a comprehensive plan for the long-term disposition of defense plutonium and defense plutonium materials. If the Secretary should decide not to proceed with the immobilization facility or the mixed oxide facility, then the Secretary shall include in the plan the requirement to be submitted on February 1, 2002 a disposition path for the material.

Modification of date of report of Panel to Assess the Reliability, Safety, and Security of the United States Nuclear Stockpile (sec. 3156)

The House amendment to section 3156 that would amend section 3156(d) of the Strom Thurmond National Defense Authorization Act for Fiscal Year 1999 by extending the dates for the third report required by that section from October 1, 2001 to February 1, 2002. The House amendment contained no similar provision.

The House recedes.

Subtitle F—Rocky Flats National Wildlife Refuge

Rocky Flats National Wildlife Refuge (sec. 3171–3182)

The Senate bill contained a series of provisions (sec. 3171–3181) that would transfer the Department of Energy Rocky Flats site to the Department of Interior. The transfer would occur after the DOE has completed the environmental cleanup of the site.

The House amendment contained no similar provision.

The House recedes.

Annual assessment and report on vulnerability of Department of Energy facilities to terrorist attack (sec. 3154)

The Senate bill contained a provision (sec. 3154) that would require the Secretary of Energy to conduct an annual assessment on the vulnerabilities of Department of Energy (DOE) facilities to terrorist attack. The report would be submitted to Congress on or before the anniversary date of each fiscal year. The first report would be due on January 31, 2003.

The House amendment contained no similar provision.

The House recedes.

Disposition of surplus defense plutonium at Savannah River Site, Aiken, South Carolina (sec. 3157)

The House amendment provided a one-year extension of the deadline for disposal of surplus defense plutonium at the Savannah River Site and to submit a plan to Congress by February 1, 2002, for the disposal of surplus defense plutonium currently located at the site. The Senate amendment would require the Secretary to provide a notice to the congressional defense committees not less than 100 days before the Secretary shipped any defense plutonium or defense plutonium materials to the Savannah River Site. The Senate amendment provided that the Secretary should not proceed with the immobilization facility or the mixed oxide facility, then the Secretary shall include in the plan the requirement to be submitted on February 1, 2002 a disposition path for the material.
The Senate bill contained a provision (sec. 3143) that would amend section 3219 of the National Nuclear Security Administration Act (Title XXXIII of the National Defense Authorization Act for Fiscal Year 2000) to clarify that when work is performed at National Nuclear Security Administration (NNSA) facilities and sponsored by offices outside of the NNSA, the sponsoring office can supervise the work being performed and that NNSA employees can serve on DOE task forces.

The Senate amendment contained no similar provision.

The Senate recedes.

The Senate amendment contained no similar provision.

The Senate recedes.

The Senate amendment contained no similar provision.

The Senate recedes.

The Senate amendment contained no similar provision.

The Senate recedes.

The Senate amendment contained no similar provision.

The Senate recedes.

The Senate amendment contained no similar provision.

The Senate recedes.

The Senate amendment contained no similar provision.

The Senate recedes.

The Senate amendment contained no similar provision.

The Senate recedes.

The Senate amendment contained no similar provision.

The Senate recedes.

The Senate amendment contained no similar provision.

The Senate recedes.

The Senate amendment contained no similar provision.

The Senate recedes.

The Senate amendment contained no similar provision.

The Senate recedes.

The Senate amendment contained no similar provision.

The Senate recedes.

The Senate amendment contained no similar provision.

The House amendment contained a provision (sec. 3106) that would increase the amounts authorized for defense nonproliferation by $10,000 million for operation and maintenance nonproliferation and verification research and development.

The Senate bill contained a provision (sec. 3101) that would authorize up to $0.3 million for safety improvements to Corral Hollow Road, the amount of the budget request.

The House amendment contained no similar provision.

The Senate recedes.

The Senate amendment contained a provision (sec. 3301) that would authorize sales of 25,000 short tons of manganese ferro in fiscal year 2002 (of all grades), 25,000 short tons of high-grade manganese ferro in fiscal year 2003, and 50,000 short tons of high-grade manganese ferro in fiscal years 2004 and 2005.

TITLE XXXIV—NAVAL PETROLEUM RESERVES

LEGISLATIVE PROVISIONS ADOPTED

Authorization of appropriations (sec. 3401)

The Senate amendment contained a provision (sec. 3401) that authorized the appropriation of $17.4 million during fiscal year 2002 for activities relating to the naval petroleum reserves.

The Senate amendment contained no similar provision.

The Senate recedes.

The Senate amendment contained no similar provision.

The Senate recedes.

The Senate amendment contained no similar provision.

The Senate recedes.

The Senate amendment contained no similar provision.

The Senate recedes.

The Senate amendment contained no similar provision.

The Senate amendment contained no similar provision.

The Senate amendment contained no similar provision.

The Senate amendment contained no similar provision.

The Senate amendment contained no similar provision.

The Senate amendment contained no similar provision.

The Senate amendment contained no similar provision.

The Senate amendment contained no similar provision.

The Senate amendment contained no similar provision.

The Senate amendment contained no similar provision.
The Senate recessed.

From the Committee on Armed Services, for consideration of the Senate bill and the House amendment, and modifications committed to conference:

BOB STUMP, DUNCAN HUNTER, JAMES V. HANSEN, CURRY WELDON, JIM SAXTON, JOHN M. MICHUGH, TERRY EVERTT, ROSS G. BARTLETT, HOWARD "BUCK" MCKEON, J.C. WATTS, JR., MAC THORNBERY, SAXBY CHAMBLISS, IKE SKELTON, SOLOMON P. ORTIZ, LANCE EVANS, NEIL AMENCOMBIE, MARTIN M. MEEHAN, ROBERT A. UNDERWOOD, THOMAS ALLIN, VIC SNYDER.

From the Committee on Education and the Workforce, for consideration of secs. 304, 305, 1123, 3151, and 3157 of the Senate bill, and secs. 341, 342, 359, and 364 of the House amendment, and modifications committed to conference:

MICHAEL N. CASTLE, JOHN KLINE, GEORGE MILLER, From the Committee on Government Reform, for consideration of secs. 564, 622, 623, 803, 813, 901, 1044, 1045, 1051, 1057, 1075, 1102, 1111, 1113, 1124-1126, 2832, 3141, 3144, and 3155 of the Senate bill, and secs. 333, 519, 588, 802, 803, 811-819, 1191, 1193-1198, 1110, and 3132 of the House amendment, and modifications committed to conference:

DAN BURTON, DAVE WELDON, HENRY A. WAXMAN, Prohibited that Mr. Tom Davis of Virginia is appointed in lieu of Mr. Weldon of Florida for consideration of secs. 803 and 2862 of the Senate bill, and secs. 333 and 393 of the House amendment, and modifications committed to conference:

TOM DAVIS, Prohibited that Mr. Horn is appointed in lieu of Mr. Weldon of Florida for consideration of secs. 811-819 of the House amendment, and modifications committed to conference:

DANIEL HORN, From the Committee on House Administration, for consideration of secs. 572, 574-577, and 579 of the Senate bill, and sec. 552 of the House amendment, and modifications committed to conference:

BOB NEY, JOHN L. MICA, From the Committee on International Relations, for consideration of secs. 331, 333, 1201-1205, and 1211-1218 of the Senate bill, and secs. 1011, 1201, 1202, 1205, and 1209, title XIII, and sec. 3133 of the House amendment, and modifications committed to conference:

HENRY HYDE, BEN GILMAN, TOM LANTOS, From the Committee on the Judiciary, for consideration of secs. 821, 1066, and 3151 of the Senate bill, and secs. 323 and 418 of the House amendment, and modifications committed to conference:

F. JAMES SENSENBRINNER, LAMAR SMITH, From the Committee on Resources, for consideration of secs. 601, 603, 2623, and 3171-3181 of the Senate bill, and secs. 601, 1042, 2841, 2843, 2860-2863, and 2865 and title XXIX of the House amendment, and modifications committed to conference:

JIM GIBBONS,

GEORGE RADANOVICH, Provided that Mr. Udall of Colorado is appointed in lieu of Mr. Rahall for consideration of secs. 3171-3181 of the Senate bill, and modifications committed to conference:

MARK UDALL, From the Committee on Science, for consideration of secs. 1071 and 1124 of the Senate bill, and modifications committed to conference:

SHERWOOD BOHIELERT, NICK SMITH, RALPH M. HALL, Provided that Mr. Ehlers is appointed in lieu of Mr. Smith of Michigan for consideration of sec. 1124 of the Senate bill, and modifications committed to conference:

VERNON J. EHRLERS, From the Committee on Small Business, for consideration of secs. 811, 813, 901, 1044, 1047, 1051, 1057, 1075, 1102, 1111-1113, 1124-1126, 2832, 3141, 3144, and 3155 of the Senate bill, and secs. 333, 519, 588, 802, 803, 811-819, 1191, 1193-1198, 1110, and 3132 of the House amendment, and modifications committed to conference:

DON YOUNG, FRANK A. LOBIONDO, CORRINE BROWN, Provided that Mr. Pascrell is appointed in lieu of Ms. Brown of Florida for consideration of sec. 1049 of the House amendment, and modifications committed to conference:

BILLY PASCRELL, JR., From the Committee on Veterans' Affairs, for consideration of secs. 536, 539, 573, 651, 717, and 1064 of the Senate bill, and sec. 641 of the House amendment, and modifications committed to conference:

CHRISTOPHER H. SMITH, (except sec. 641 of House amendment and secs. 539 and 651 of Senate bill), MIKE BILIRIKIS, Managers on the Part of the House.

CARL LEVIN, TED KENNEDY, JOHN LEHRMANN, MAX CLELAND, MARY LANDRIEU, JACK REED, RICK SENSENBERG, BILLY NELSON, BEN NELSON, JEAN CARNABAN, MACEY DAVIS, JEFF RINGAMAN, JOHN WARNER, STROM THURMOND, ROBERT MOORE, JIM INHOFE, RICK SANTORUM, PAT ROBERTS, WALLACE C. GALLERY, TIM HUTCHINSON, JEFF SESSIONS, SUSAN COLLINS, TIM RUNNING, Managers on the Part of the Senate.

SETTING ASIDE TIME FOR PRAYER OR QUIET REFLECTION ON BEHALF OF OUR NATION DURING THIS TIME OF STRUGGLE AGAINST INTERNATIONAL TERRORISM

The SPEAKER pro tempore (Mr. JONES) is recognized for 30 minutes as the designee of the majority leader. Mr. JONES of North Carolina. Mr. Speaker, tonight I would like to take just a few moments simply because on November 13 this House debated a concurrent resolution, Concurrent Resolution 239, and the House actually passed the resolution on November 15 by a vote of 297 to 125, with one Member voting present.

I would like to read to the House what the resolution said, and then I want to give the reason why I am on the floor tonight for these few minutes.

The resolution said, “Expressing the sense of Congress that schools in the United States should establish a sufficient period of time to allow children to pray for or quietly reflect on behalf of the Nation during this time of struggle against the forces of internal terrorism.”

The Speaker, I was a little bit surprised the night of November 13. I should not say “disappointed,” because the House is the people’s House, and all of us who serve here have the privilege to our own opinions and we can express those opinions. However, on that night, three Members of the Democratic Party came to speak in opposition of House Concurrent Resolution 239: the gentleman from California (Mr. GEORGE MILLER), the gentleman from Virginia (Mr. SCOTT), and the gentleman from Texas (Mr. EDWARDS), all three of whom I have great respect for; and I acknowledged that night during the debate that I did have respect for each one as a very fine Member of Congress. We just disagreed on this issue.

Mr. Speaker, this Nation was founded on Judeo-Christian principles. There is absolutely no question about that. That night, the three Members who were opposed to House Concurrent Resolution 239 mentioned seven different groups that were opposed to this resolution, one being the People for the American Way. Well, I was not surprised with that, quite frankly. The National PTA, I was very surprised about, and I want to talk about that in just a moment.

The third group to be opposed to this nonbinding resolution but sense of the Congress that children would have a moment of prayer or a moment of reflection during this period of war with the terrorists was Americans United for Separation of Church and State. Quite frankly, I was not surprised by that one either.

Next was the Interfaith Alliance.

The fifth group opposed to the resolution was the American Jewish Committee of Washington, D.C.

The sixth group in opposition was Religious Action Center of Reform Judaism.

Seventh was the Baptist Joint Committee.

I would say that the one I was really disappointed in was the National PTA, and I am going to read a couple of sentences from their letter of opposition.

The National PTA, the lady’s name, I believe she is the President, Shirley

December 12, 2001 CONGRESSIONAL RECORD—HOUSE H9751
Igo, President of the National PTA, she wrote a note in opposition to House Concurrent Resolution 239, to, again, the sense of the Congress encouraging that children during this period of war, and I know a lot of our children, Mr. Speaker, are confused by what is happening. The statement of so many American people on September 11, the fact that many of our men and women in uniform over in Afghanistan have children here in this country. So the Congress felt, and, again, it did pass it, that children should be encouraged in the schools to have a moment of prayer or reflection.

But the National PTA, Mrs. Igo, says about the resolution, “Furthermore, because the legislative intent is clearly to endorse religious expression, it does not conform with current constitutional standards.”

Mr. Speaker, that is not what it did. What it said was that the children of America should have a moment of prayer or a moment of reflection. But, again, my point is, I am very disappointed in the National PTA, which is supposed to strengthen families, encourage education and encourage families to be together. Why they would take this position, I do not know. But, again, I was very surprised and disappointed that they would.

Mr. Speaker, another group that I really should not be surprised about is the Americans United for Separation of Church and State. That is Reverend Barry Lynn, and he and I disagree on a lot of issues, most of the time, quite frankly.

Let me read one or two sentences from his letter in opposition to House Concurrent Resolution 239: “This misguided proposal should not be endorsed by the House of Representatives.”

Well, I am pleased to tell Mr. Lynn that it was endorsed by the House of Representatives, 297 to 125.

The last statement he made: “Mandatory time for classroom prayer on a specific topic.”

Mr. Speaker, it did not do that. It said that the children should have a moment of prayer, whatever faith they might be, Jewish, Catholic, Protestant, or even Muslim, they should have that moment, which we have seen happen since September 11.

Also he made a couple of other points that I am not going to take the time to make reference to.

The reason I wanted to come down on the floor again tonight was to say “thank you” to the Members of the House. Many Democrats, including the leader of the minority party, the gentleman from Missouri (Mr. GEPHARDT), voted for this resolution.

I want to read for the record a paper from an eighth grader from my district, a young lady named Rose Ormand, who wrote a paper called “In Defense of a Little Prayer.” Ms. Ormand is in the eighth grade, she attends E.B. Aycock Middle School in Greenville, North Carolina. I want to read this in its entirety.

“How would the athletes at your school feel if all athletic activities were prohibited based on the fact that not all students are athletic and some students even feel uncomfortable with athletics? Wouldn’t you consider that unfair? And would baseball, a sport considered as American as mom’s apple pie, being removed from schools because a few are offended? Well, as absurd as that might seem, there is an activity which is even more historically valued than baseball that is being prohibited in our public schools today. That activity prohibited today within the walls of our schools is prayer. A student’s right to pray in school in any manner should be upheld and encouraged. First of all, our country has definitely been founded upon Christian principles from its very beginning. When we compare the social and moral climate of the schools when prayer was part of a regular school day to that of our present day, there is quite a difference. Finally, if we trace the roots of public education back to its original purpose, it just doesn’t make any sense that our public school system today is a contradiction. Prayer in our public schools may very well be an area we need to look at again as it is so much more important than baseball.

“First of all, our country and its government were clearly built on Christian principles. The pilgrims in the New World seeking religious freedom was the birth of our great country. In the Bill of Rights, the First Amendment declares that, ‘Congress shall make no law respecting an establishment of religion or prohibiting the free exercise thereof.’ Every day the United States Senate and House of Representatives begin their Congressional day with prayer, yet in the same nation, public school students are not allowed to have prayer. While the members of Congress stood on the steps of the Capitol and petitioned God almighty for his help after the attack on America, public school students were not even permitted to join in the National Day of Prayer declared by the President. It seems to me that students and teachers alike have to shed their constitutional right of the free exercise of prayer when they walk through the public school doors.

“Secondly, the social and moral climate when prayer was permitted in school was surprisingly better than now when prayer is prohibited. The Regent’s prayer, prayed every morning in the classroom, was ‘Almighty God, we acknowledge our dependence upon You, and we beg Your blessings upon us, our parents, our teachers and our country.’ On June 25, 1962, the government removed God from public schools and that prayer was never prayed again. The four parts of the Regent’s prayer were God’s blessings on the students, our country, our country, our country, and they seemed to be the area God’s hedge of protections fell. The first area was the students, and since 1962 teenage homicide rose three hundred percent. The second area was the parents, and also since 1962 the divorce rate went up fifty-two percent. The SAT scores plummeted, frustrating the teachers, and the hedge of protection for our country fell. If the Regent’s prayer had continued, we might be a lot better off. School now is so different than what it was originally intended to be, and the strength and quality of the schools had then could return only if God was let back in the school system. If you really believe in the power of prayer, then call your Congressman and ask for prayer to be returned to public school.

Mr. Speaker, I read that again because they are the words of an eighth-grader in my district, and I think she did a great job of expressing herself and the fact that this nation was founded on Judeo-Christian principles.

Let me make just a couple of other points. Again, I wanted to come to the floor because I was so disappointed that the National PTA and some of the other groups that I read about earlier that will be in the RECORD were opposed to this nonbinding resolution, the Sense of the Congress, that the Congress would say to the schools throughout this Nation and to the students that you may have a moment of prayer or a moment to reflect.

Just a couple of other points and then, Mr. Speaker, I will bring this to a close.

I found it very interesting that William Raspberry recently wrote an editorial and the title was “Good-Faith Arguments for School Prayer.” Now, this was in The Washington Post on November 26 of this year. Mr. Raspberry quotes Kevin J. Hasson, President of the Becket Fund for Religious Liberty, I will use these quotes
very briefly. They are short and to the point. Hasson is responding to Chancellor Harold O. Levy’s decision for New York schools to accommodate the religious exercise of Muslim students during Ramadan. Hasson says, “A public school system that pretends to have a comprehensive education but ultimately says nothing about religion for 12 years is not comprehensive at all. Indeed, it sends a powerful message to our children that religion is at best an optional aspect of their human nature and, in doing so, it lies about who and what we are. When a public school sets aside space for children who wish to pray, it sends the opposite message: that faith is a natural part of life.”

But doesn’t Levy’s action violate the separation clause of the First Amendment? Not as Hasson sees it. The framers of the amendment never intended to hobble religion, he argues, “only to avoid the establishment of a particular religion.” The people who wrote the Bill of Rights hired a congressional chaplain, he said. “A few days after writing his famous letter on the wall of separation, Thomas Jefferson attended Sunday churches in the House of Representatives.”

Mr. Speaker, I want to include Mr. Raspberry’s entire editorial for the Record, along with the letter from Rose Ormand.

IN DEFENSE OF A LITTLE PRAYER

(Rose Ormond, Persuasive Hall 4)

How would the athletes at your school feel if all athletic activities were prohibited based upon the fact that not all students are athletic and some students even feel uncomfortable with athletics? Wouldn’t you consider that unjust and absurd? Can you imagine baseball, a sport considered as American as mom’s apple pie, being removed from schools because a few are offended? Well as absurd as that may seem, there is an activity which is even more historically valued than baseball that is being prohibited in our public schools. That activity predominates today within the walls of our schools is prayer. A student’s right to pray in school, in any manner, should be upheld and encouraged. The country has always been founded upon Christian principles from its very beginning. When we compare the social and moral climate of the schools when prayer was a part of a regular school day to that of our present day, there is quite a difference. Finally, if we trace the roots of public education back to its original purpose, it just doesn’t make sense that our public school system today is a contradiction. Prayer in our public schools may very well be anathema, but look at again as it is so more important than baseball!

First of all, our country and its government were clearly built on Christian principles. The arrival of the pilgrims in the New World seeking religious freedom was the birth of our great country. In the Bill of Rights, the First Amendment declares that, “Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof....” Everyday the U.S. Senate and the House of Representatives, an impenetrable wall, are manned by people who pray, yet, in the same nation, public school students are not allowed to have prayer. While the members of Congress stood on the steps of the U.S. Capitol and petitioned God mightily for His help after the “Attack on America,” public school students were not even permitted to join in on the National Day of Prayer declared by the President. It seems to me that students and teachers alike have to shed their constitutional right of the free exercise of prayer when they walk through the public school doors.

Secondly, the social and moral climate when prayer was permitted in schools was vastly preferable to present day when prayer is prohibited. The Regent’s prayer, prayed every morning in the classroom was “Almighty God, we acknowledge our dependence upon You, and humbly appeal to You for the assistance of Your Divine grace and strength. Bless our President, and all those who hold offices under him; give Your aid to those whom He appoints to preserve the Union so dear to our country; and in all our public and private concerns, grant us to know Your will, and to act in accordance therewith.” On June 25, 1962 the government removed God from public schools and that prayer was no longer required. Today, as parts of the Regent’s prayer were God’s blessings on the students, our parents, our teachers, and our country and they seem to be the areas God’s hedge of protection fell. The first area was the students, and since 1962 teenage homicide rose three hundred percent. The second area was the parents, and also since 1962 the divorce rate went up sixty-two percent. The SAT scores plummeted frustrating the teachers, and the hedge of protection fell from our country as well. The very next year our president was killed. Coincidence? I don’t think so! The only way any of these statistics are going to change will be if prayer is allowed in our school system.

Some reading this may say, that schools are not the place for prayer because they are publicly funded. But you need to refer to one of the founders of public education within our nation, Benjamin Rush. He wrote and spoke about educational topics frequently. He argued it was the duty of education should work along with the principles of democracy. He wrote a prodigious essay entitled, “Thoughts Upon the Mode of Education Proper in a Republic.” He concluded in his essay that Christian principles should be taught throughout the student’s education. Funny isn’t it that now God isn’t even allowed where once He was the main focus? Or maybe it’s not so funny after all.

In conclusion, students should be allowed to pray as part of everyday school life. Since God was the main reason America was founded, didn’t it make sense that the heritage of this country should continue? Also, if we had prayer back in the school system, our schools, homes, and country would be a lot better off. School is now so different than what it was originally intended to be, and the strength and quality the schools had could continue to come back in the system. If you really believe in the power of prayer, then call your state Congressman and ask for prayer to be returned to public schools now!

GOOD-FaITH ARGUMENT FOR SCHOOL PRAYER

(By William Raspberry)

One of the arguments against prayer in public schools has been that it opens the door for religious zealots to instill their personal values on vulnerable children. That argument is factually better than now, when prayer is prohibited.

The religious fundamentalists in the country have been praying all over the place since the attacks: in Yankee Stadium, in special prayer rally organized by members of Congress, in parks and playgrounds, and in public schools. And there’s been hardly a peep of objection. And not only that: The New York City public schools have moved to accommodate the religious expressions in the community during Ramadan. What makes this significant is that no one can argue that Chancellor Har-
be speaking shortly, will be supporting the gentleman from Oklahoma (Mr. ISTOOK).

Mr. Speaker, prior to 1962, we had prayer in this Nation. I think the children of this country, and since September 11, I think there have been more than 70 percent of the American population are asking people to pray for America and to pray for our men and women in uniform, I just felt like I needed to come to the floor and say “thank you” to those who voted for this resolution on November 15. Again, it passed with 297, only 125 in opposition. They are the kind of messages in my opinion, we need to be sending to the American people, because every survey I have seen over the last 2 years, better than 70 percent of the American people, say they would like to see prayer returned to the educational systems of America.

So when the Mr. Speaker, I know the gentleman from Georgia will be speaking shortly and I would like to help him if he would like for me to do so.

Mr. Speaker, let me, if I might, stay on the floor and yield any remaining time I might have. I think I might have had an hour, is that correct?

THE SPEAKER pro tempore (Mr. ROGERS of Michigan). The gentleman from North Carolina (Mr. JONES) had 30 minutes of which he had approximately 13 minutes remaining. The balance of the Majority Leader’s hour can be controlled by the gentleman from Georgia (Mr. KINGSTON).

IN OUR SCHOOLS

The SPEAKER pro tempore. Under the Speaker’s announced policy of January 3, 2001, the gentleman from Georgia (Mr. KINGSTON) is recognized for 43 minutes as the designee of the majority leader.

Mr. KINGSTON. Mr. Speaker, I thank the gentleman for the time.

I wanted to say to the gentleman from North Carolina, I was debating one of the school prayer debates that we have so often here in Washington with a gentleman named Barry Lynn who allegedly is a preacher, but one of these preachers who has no church. He heads a group called Americans for Democratic and Independents and staff members, Federal Government employees, no less, in the Chamber of Commerce, and always have opened with a prayer, and we have Christian, we have Jewish, we have Muslim, we have whoever Members invite that day to give the opening prayer. So the hypocrisy and the inconsistency is incredibly ludicrous, Mr. Speaker.

Mr. JONES of North Carolina. Absolately, Mr. Speaker.

Mr. KINGSTON. Mr. Speaker, I want to say finally, prior to September 11, 70 percent of Americans surveyed said that they pray regularly. After September 11, 97 percent. America has got back down on its knees, and I am glad that we have an administration that acknowledges the role of religion and spiritual matters in their decision-making.

Mr. JONES of North Carolina. Amen. Mr. KINGSTON. Mr. Speaker, George Bush has never strayed from that.

In this House since September 11 we have had lots of challenges and the House has moved quickly for a number of reasons to give the President the tools he needs to fight the war and to fight terrorism and to secure the airlines. But the House has consistently done a lot more work than just focus on the war effort. We support the war effort on a bipartisan basis. We think it is very important to do that. But there are a lot of issues domesticaly where it is just hard for me to go along with the liberal, big-spending Democrat models that we have seen over the years. I am glad that Speaker HASTERT has been a workhorse. This team in Congress has done a lot of things that unfortunately we cannot get our friends in the other body to do. I will show my colleague a chart of some of the House accomplishments this year.

We passed an energy package. Now what are gas prices doing in North
Mr. JONES of North Carolina. Mr. Speaker, they are going down, yes.

Mr. KINGSTON. Mr. Speaker, I am glad to hear that, because when I drive up from Savannah, Georgia, I often have the generator in the back of my Suburban, and they always get about 30 gallons worth for my Suburban. It is very expensive to get gas in North Carolina. In Georgia, it is always a little less. But in Georgia, North Carolina, Washington, D.C., New York City, California, Colorado, where my mama lives and in Texas where my sister lives, gas prices have come down.

So there are those in the Senate who think, well, okay, we do not need an energy policy anymore, and in California, they have sorted out their situation and they say, let us back off this. But I feel more than ever now that we have got to move towards a comprehensive energy policy.

So based on August 2 an energy bill in the House. Where is it now? Well, Mr. DASCHLE does not want to bring it up on the Senate Floor. I know that.

We passed July 19 faith-based initiatives, so that we can have charitable groups who deliver welfare services, welfare-to-work, independence-type services, faith-based groups can participate. That is actually not broadening the 1996 welfare reform law signed by President Clinton. We passed it over there, and where is it? It has been sitting there for 141 days.

Mr. JONES of North Carolina. If the gentleman will yield for a moment, there are two issues the gentleman just mentioned, they were campaign promises by President Bush, as Candidate Bush for the Presidency. He talked about the fact that this country had never developed an energy program plan for America.

As the gentleman made reference, we passed that in the House. That was one of the campaign promises by President George Bush.

Secondly, the faith-based program has met with great excitement in my district in eastern North Carolina, because what Mr. Bush campaigned on was, let us take the assistance, the service to where the people are, not Washington, D.C., but in Georgia, in North Carolina. Let us let those organizations within the community extend the hand of help. So I just wanted to mention that.

Mr. KINGSTON. Mr. Speaker, I would tell the gentleman, that is exactly the way it was. In Savannah, Georgia, we have St. Paul’s A.M.E. Church. Reverend Delaney is the minister there, and he has a tremendous ministry. They feed the poor. They have a school program there for young kids. They have outreach to help people who have drug addiction and alcoholism, and need job training.

They are doing all of this, and they cannot compete for any Federal funds, even though their outcome and the result there shows that Reverend Delaney is effective at this. The reason why is because that recipient, he knows his full name and where they live; he knows his brother, their sister, their mother, their father; he knows the neighborhood; he walks the same streets. He knows them, and he is driven by love for them, not driven by a paycheck.

Yet when he goes to try to get Federal funds to expand his soup kitchen, they say, No, you cannot do that, you are doing too good of a job. You are doing a good job, but you are doing it in the name of religion. We just cannot have that. If faith-based grant programs are driven by results, then what is wrong with letting the Reverend Delaneys of the world take care of the hungry and help, with the Federal Government; not take over it, but help?

Mr. JONES of North Carolina. Mr. Speaker, if the gentleman will yield for a moment, I do not agree more. America’s strength is its people; and the gentleman, Reverend Delaney that the gentleman just mentioned, obviously is a caring, compassionate man that understands the Bible, to help the brother who is in trouble.

If anything, over the last 20 years, that is why we reformed welfare when we came in 1997. It was simply that the Federal Government does some things good, but a lot of things it does not do as well. So back to the community and the people, as the gentleman said, they know the name of the person they are trying to help. That is how government can partnership with local communities and community leaders to do for those who need help.

Mr. KINGSTON. Mr. Speaker, I think that is so important. The gentleman had mentioned the energy package. There are a whole lot of things that the House has passed that the Senate is sitting on.

I think it is real important to say, hey, we understand that they are now run by the Democrats, and they are going to disagree with the House philosophy. No problem with that. The gentleman came from North Carolina. I came from Georgia, to carry our points of view and our philosophy, and sharpen our ideological swords against opposition, and come up with a better product. So we do not expect the Senate to rubber-stamp what the House does, but vote on the things, vote it up or vote it down; have the guts, the integrity, the fortitude to face the American people and say, These are our actions, we are proud of them, and we are right about them.

Now, what is interesting on the energy package, the stumbling block for Mr. DASCHLE happens to be the Alaska National Wildlife Reserve, because he has Democrats who actually want to explore oil, oil, oil, oil, oil, oil, oil, oil. He does not have the vote to kill the legislation, so he is going to hold the legislation.

We are a funny country. We do not want to park our Suburbans, we all like our sports utility vehicles, but we do not want to drill oil just anywhere, and we are also tired of buying it from the Middle East. But let us have a sober, adult, mature discussion of the ANWR for just a minute.

Just to put it in perspective, if Members can look at this chart, the red outline is the State of Alaska. The blue outline is the State of Texas. The gray outline is the middle of Texas where the State of South Carolina, and the little red dot is the size of the potential drilling area. The wildlife reserve is the size of the State of South Carolina. The little red dot is about 2,000 acres, probably the size of the gentleman’s airport. Savannah, Georgia, has an airport about 2,000 acres. That is where it is. That is national security.

Do we have a model for this? As a matter of fact, we do. We have Prudhoe Bay. The same people who were telling us the sky was falling if we explored oil in Prudhoe Bay, now they do not mention the fact that the caribou herd has actually increased, for some reason; and it has not hurt the wildlife.

I am a hunter, an outdoorsman. My constituents love the woods. I do not want to harm the environment, but I also know this.

This summer I was driving up to New York City with my wife and four kids in the car, and I did not even know what State we were in at the time, but we were driving our good old Suburban, and there were five lanes of traffic, two on one side, three on the other, all going one way, so it was a ten-lane interstate.

The car in front of us hits the car in front of it. Another car swings into our lane. Before you know it, we are in the middle of a four-car collision. I do not even know what State we were in. It turned out we were in Delaware. I do not know how Delaware folks like people from Georgia. I was a little nervous and thought they might see the Georgia tag and put an out-of-state surtax on whatever problem it was.

I am sitting in the middle of these cars whizzing back and forth, trying to get over to the shoulder and get my children out of the car waiting for police, and it turns out that out of the four cars in the collision, one of them was untouched, or not damaged at all. It was our car, our Suburban.

The guy behind us who hit us had about $2,000 worth of damage. I am not sure if his car was drivable or if he had it towed. The police came and actually did not even fill out a report on us. They filled out a report, but we did not file for any insurance because not one person out of six in our car was hurt, and there was not a scratch on anything.

The point is, why do I want to drive a big car? It is because my children are more important to me, and I do not want to jeopardize their safety, I want to have that option. Because of that, I think it is important to have an abundant fuel supply.
That is why we Americans, when I drive in the car pools Monday and Friday when I am in town, and all it is Ford Expeditions, Suburbans, and other cars; and it is not because we are all going out in the woods in them; it is because it is the solution, because it is holding up all these other good things in that energy bill.

Mr. JONES of North Carolina. Mr. Speaker, if the gentleman will yield for just a moment, on several points he made, one about the exploration in Alaska, we should remember, and I think the gentleman is a little younger than I am, but we should remember the days of President Jimmy Carter and the lines, and people paying high prices for the gas.

Everybody said then, and I was obviously a much younger person, but everybody was saying then that this country needs to have an energy plan. It needs to have a program, a long-range program. We talked about it and we talked about it, but we never did anything.

So, then, I want to go back and give credit to President Bush, because he has taken this on. He said that the American people need to have an energy plan in this country, not just short term but long term. So we did what we needed to do and we passed that legislation, as the gentleman said; and it is now languishing over in the Senate. But they will have to deal with it hopefully sooner rather than later. They have waited too long already.

The other point the gentleman was making about his family chose to drive a Suburban. Well, to me, that is what America is about. If I decide I want to drive a small car or a mid-sized car or an SUV, then I should have that right to make that choice and not have the government say, You have to drive a small car. I agree with the gentleman.

Actually, I drive an old 1992 Buick, and I am back and forth every weekend from North Carolina and go to D.C. on Monday or Tuesday, when ever we have votes, and that is my choice.

I think if we ever get to a point, and that is why the gentleman and I happen to be Republicans and conservatives, we both are, is that we believe the American people who pay the taxes, if they decide that they want to drive a car that only gets 15 miles to a gallon, and the gentleman decides he wants to drive a car that gets 28, that is fine. That is what America is about. We should have the choice.

Mr. KINGSTON. It is very important. And I think if the majority leader in the Senate is worried about people actually getting an abundant supply of gasoline, which apparently he is opposed to, then killing this bill still is not the solution, because there are some other things in here that are very important.

I wanted to talk just a little bit about fuel cell opportunities for automobiles. On Monday in Hinesville, Georgia, I had a great opportunity to go for a ribbon-cutting ceremony for a new business called E-Motion, which makes an electric car using fuel cells. It is a very smart idea.

The concept is that in Hinesville, Georgia, they will start manufacturing a smog-free automobile, so when the gentleman flies to, say, New York City, or he flies to Atlanta, Georgia, wherever he will be able to rent an electric car. He will have a smart car. That car will be tied into a GPS operating system. The gentleman will know where he is going in it. He can return it at the end of the day.

Why is this important? Because we are not saying, let us just keep driving Suburbans forever, let us keep drilling for oil all over the globe. That is not the point at all of the energy package. The energy package is to look at the energy needs from a national security point of view and come up with a combination of what works.

What E-Motion will be doing is using things like fuel cells to help drive automobiles. They have recently passed regulations saying that 22,000 automobiles that are sold that year have to be smog-free. In Europe, they are going to have emission-free zones in certain cities where, unless it is a smog-free automobile or an electric car, they will not even be able to drive there.

In Iceland, which is very fossil-fuel dependent on getting fossil fuels from other countries, they are actually looking at using thermal heat from volcanoes to separate hydrogen from water and use it as an energy source.

So here again, the good old folks in the other body and Mr. DASCHLE are sitting on this technology. That bill, the energy bill that Mr. Bush has pushed, puts millions of dollars into fuel cell research. So this is not just something that is happening in Hinesville, Georgia. This is not something that somebody has to explain. It is something that anybody knows, oh, yes, I know what a fuel cell car is. As a matter of fact, I am looking at one right now. They are available in every town.

That is being held up because Mr. DASCHLE is preferring to play up the fears on drilling for oil in Alaska, so he is holding up all these other good things in that energy bill.

Mr. JONES of North Carolina. If the gentleman will yield another time, Mr. Speaker, this is really somewhat discouraging, when they have that entrepreneurial spirit they have down there with that business in the gentleman’s district, or in Georgia, and there are a multitude of those exciting businesses that could be benefited if we would do our job up here in Washington.

The gentleman said, the House has done its job; and now it is time for the Senate to move the legislation.

Mr. KINGSTON. Another thing that I would like to talk about is nuclear power. When we talk about security, obviously we need economic security, we need energy security, we need to have security so our people will be able to spiritually compete in the free enterprise system, but none of that means anything if we do not have a good foreign policy.

I represent Kings Bay, and we have one of the nuclear submarine fleets there. There is a great story of Kika de la Garza, a former Committee on Agriculture member, there who would like to have an opportunity to have a nuclear submarine and spends the night. He says to the captain of the sub, How far can you go? And the captain says, As far as we want. He said, When would you turn around? When would you need more power, or more energy? He said, We will not. He says, What makes a nuclear sub go back and forth? He said, We run out of food. It is that simple.

Now, in terms of independence and security, what can be more important than an inexpensive, abundant food supply? Yet we passed our farm bill October 5 and the Senate has yet to move on it. And again, hey, agree, disagree, talk to me, let me know how you feel; but nothing has happened.

Mr. JONES of North Carolina. The gentleman is exactly right. Our farmers in eastern North Carolina, like farmers across this Nation. Many of them have been in trouble. The foreign markets have not been what they had hoped they would be, and for a number of reasons the farmers really need this help.

And I want to give the gentleman from Texas (Mr. COMBEST), chairman of the Committee on Agriculture, and all of the Republican and Democrat Members, a lot of credit for the bill they brought to the floor. It was what I thought a very strong, very helpful agricultural farm bill that would help our farmers. And as the gentleman said very well, it has been on the Senate side for quite a few weeks, and now months, and they need to remember that our farmers are waiting for their action.

Mr. KINGSTON. Another thing that ties into the food supply is our trade policy. We have to have a tough trade policy to move our goods around the globe.

A statistic I heard the other day is that in China, if they consumed as much Coca Cola per capita as the country of Australia, Coca Cola could double the size of its company. Now, there are a lot of thirsty Chinese folks over there who would like to have an opportunity to have a Coca Cola, and a lot of other goods that are made in our country, and trade promotion allows the President of the United States to sit at the bargaining table on these multinational trade agreements and come up with the best deal for American producers and American buyers.

We have passed it in the House, but the Senate is nitpicking it to death. Again, vote on it up or down, send it back to us, amend it, but do not just sit on it.

Another issue: Terrorism reinsurance. Like it or not, a lot of businesses
have to have terrorist insurance in order to get loans from banks. Small businesses. But after September 11, traditional insurance companies do not want to provide terrorist coverage.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. ROGERS of Michigan). The gentleman will suspend.

Mr. KINGSTON. The gentleman from Ohio (Mr. BOEININGER) has said we may be able to get the education bill out maybe Thursday of this week, maybe even next week, and I think that we all want to do that. But we are excited.

A patients’ bill of rights, which we passed back in August. Again, it has been sitting over there in the morgue, also known as the other body.

Mr. JONES of North Carolina. I certainly want to be careful, because of the ruling of the Chair, but I think about the gentleman from Georgia and Texas, especially those that live much further than that, particularly our colleagues on both sides of the fence that live out west, because I can drive home in 5 hours from Washington. And I think the difference in why we are so responsive is because we see the people we have the privilege to represent just about every weekend. We are here for 2 years and then we run for reelection. As it is set up by the Constitution, the other side of the Capitol, they are there for 6 years.

Now, I am not advocating that they should serve for 2 years, but I am just saying that we are much more in tune with the people we represent than the other body.

Mr. KINGSTON. Well, again, actions by the House on energy bill, faith-based initiatives, farm bill, trade promotion bill, appropriation bills, terrorism, human cloning, education, and a patients’ bill of rights, and we are still waiting for them to come back around.

I do want to talk about the economic security bill, because in my area of Georgia, a big piece of terrorism is down. Amongst retirees, their stock portfolios, their retirement programs have shrunk considerably. Down the street people are laid off. A friend of mine who has two children was laid off recently. Lots of people are losing their jobs.

We passed an economic security package in October. And I do not know, the Speaker will have to help guide me, because I have this quote here and it says that the leader of the other body, Mr. DASCHLE, said that “It is not as front-burner an issue as other legislation, particularly government spending,” and that’s from The Associated Press, October 27.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. The gentleman will suspend.

Mr. JONES of North Carolina. I really agree with the gentleman. I came to the Congress with not much in common with the other body. And, in addition, as the gentleman said, those people who have been laid off work, if we can help strengthen business, small, midsize and large, so that they can get back on their feet so that then they will be willing to expand job opportunities, that is what America is all about. That is our philosophy, to empower the people, empower the businesses so that the economy is moving and the engine is pumping.

Mr. KINGSTON. Well, again, I understand a difference in philosophy. I have a lot of friends in the other party who did not like the economic security bill. And, in addition, as the gentleman said, those people who have been laid off work, if we can help strengthen business, small, midsize and large, so that they can get back on their feet so that then they will be willing to expand job opportunities, that is what America is all about. That is our philosophy, to empower the people, empower the businesses so that the economy is moving and the engine is pumping.
Mr. KINGSTON. Mr. Speaker, I thank the gentleman from North Carolina (Mr. JONES). I stand corrected. And I want to make it especially clear that when I speak of the United States of America, I also speak of our allies, of our friends in the world, who also are at risk of missile attack. When I speak about the need for this country to defend its citizens, I also think that our country has an obligation to help the citizens of our friends across the world. In fact, I firmly believe that a missile defense system could easily avoid what could be a world war.

Let me explain that last comment before I proceed discussing the current status of a security blanket, i.e., a missile defense system in this country, how could it possibly avoid a world war. Remember, there are two types of missile launches. One is an intentional missile launch, an attack against the United States of America. The second missile launch would be an accidental missile launch. In other words, by accident, a missile is launched not by the United States or its interests. Now, some might say that an accidental missile launch against the United States is highly unlikely. I would beg to differ, and beg to differ in a very strong way.

Mr. Speaker, take a look at what happened shortly after the September 11 tragedy that hit this country. Take a look at what happened in the Black Sea during a military exercise. A missile was accidentally launched against a civilian airliner, and it blew that airliner out of the sky. Remember that missile out of Ukraine? That is exactly what I am talking about. We never thought it would be possible. We never thought about it, that planes would be using missiles against things, the World Trade Center or the Pentagon. But I think it would be a short-fall of our duty, it would be a dereliction of our duty if we did not look into the future and into the security interest of our homeland, of protecting our borders and our people in this Nation.

I think it would be a very serious mistake, a serious dereliction of duty for us not to assume that at some point in the future, and hopefully in the distant future, a missile will be launched against the United States of America.

I think we owe it to our citizens, colleagues, to assure our citizens that we buy the insurance ahead of time. And the insurance that I am talking about is a missile defense system. Let us say, for example, that a country like Russia that we do not see as an enemy right now, and Russia could be a good ally in the future, but let us say Russia or some other country out there by accident or by intention launches a missile against the United States. If that missile were a nuclear missile and if that missile were...
December 12, 2001

CONGRESSIONAL RECORD—HOUSE

H9759

destined to hit a major city, let us say New York City. God Lord, they have suffered enough, but some city in the United States, if we had the capability to shoot that missile down, imagine the kind of chaotic, horrible tragedies that would have avoided, including the threat of terrorism, retaliation. We are against us if we had the capability to stop that missile before it came into the air space of our country.

Mr. Speaker, it is a pretty basic defense. Mind you, I use defensive missile system throughout my language. We are not talking about building a brand new offensive missile system. It is a security bubble in the air over the United States. It is not an offensive missile system. It is not designed to be that. It is designed with one purpose in mind, and that purpose is to solely protect the people of the United States against a missile attack.

Well, let us look at the history of the anti-ballistic missile treaty. The antiballistic missile treaty was signed by President Nixon and Leonid Brezhnev, the leader of the Soviet Union, May 26, 1972. This is an important date. 1972 in Moscow. It was ratified by the United States on October 3, 1972 and entered into force on October 3 of the same year. It is a relatively short treaty consisting of 16 articles that fit single spaced onto five sheets of paper. So colleagues, I know that some of us take a look at the treaty books that we have in our offices, the treaties of the United States, those books are very thick.

Before I first read the anti-ballistic missile treaty, I prepared myself for a long treatise, a long document, many, many changes of very complicated language discussing treaty obligations between the United States and the USSR. Remember that is where the agreement was made. To my surprise, it was six pages. Six pages.

So, colleagues, if Members have not read the anti-ballistic missile treaty, you must read it tomorrow. Why do I say tomorrow? Because the President of the United States rightfully and, frankly, I think it is his responsibility, which he has shouldered very well, but rightfully he intends this week or very shortly to announce that the United States of America will withdraw from the treaty.

There will be lots of constituent questions here in the next few days. There will be lots of commentary in the news. There will be lots, maybe not lots but some dissension. I think it would benefit Members to pull out that six-page treaty and read it. But tonight I am going to brief Members. It would take us 4 or 5 minutes to read all six pages, but I would like to highlight key provisions. This treaty was in place in 1972 and we are in 2001. We have 29 years. This treaty is 29 years old. I think we need to go back to the point in time 29 years ago and talk about the treaty and what threats existed 29 years ago when Richard Nixon, as President of the Nation, felt it was in the best interest of the Nation to sign this treaty.

Twenty-nine years ago there were only 29 countries in the world that really had the capability of delivering a nuclear missile or a ballistic missile across an ocean into the borders of another country. Those two nations were the United States of America and the USSR. There was a lot of academia about how would the arms race between the USSR and the United States of America; how do we limit how many missiles are going to be out there.

The academia at that time came up with the conclusion that the best way to avoid proliferation of missiles and the best way to avoid a war between the USSR and the United States of America would be an unusual and unique approach, and that unique and unusual approach was that both countries would look after themselves. Understand what I am saying. The USSR and the United States of America would agree not to defend themselves against a missile attack by the other country. Now to me that sounds insane. Twenty-eight years ago I would not have agreed with the academia any more than I agree with them today.

2000

I would not have agreed that the way to stop or avoid a missile attack against your country is to have a treaty with one country that you cannot build a ballistic missile defense system against any country in the world. But let us go back again to 29 years. The thought was that there are only two nations in the world that have this capability, the USSR and the United States of America. They put together this treaty.

While I disagree with the substance of the treaty or the theory of the treaty, that being that the best way to avoid a missile attack is that you would not be able to defend yourself, so therefore, you would not start a fight with the USSR nor would the USSR start a fight with the United States of America because both countries knew they did not have the capability to stop a retaliatory strike against them. That is the theory. But fortunately the people who put this treaty together, understood that things change. In the technological world of 29 years ago, they thought change was pretty rapid. So they wanted to include in this treaty a special provision. I think it is very important that we look at the provision in the treaty.

They had the foresight to understand that there could be changes and not simple changes but changes that met a much, much higher standard, substantial changes, and that if the world changed somehow in the future, both the USSR and the United States of America wanted within the four corners of that agreement, within the antiballistic missile agreement, both parties wanted the ability to withdraw from the treaty so that they could appropriately address the extraordinary circumstances that may occur.

There are some extraordinary things. The world is extraordinarily different today in regards to missiles, proliferation of missiles, proliferations of nuclear capability. We have high-stakes attacks of terrorists, as we unfortunately have felt in a very deep and hurtful wound just a couple of months ago.

It is my premise tonight that extraordinary events have occurred. So I think we should revert back to one of the articles within that six-page treaty and see exactly what it says about withdrawal from the treaty, because the President has put the Nation on notice. He did this in his election.

I think the President has correctly said is that the antiballistic missile treaty. He is absolutely right. The President and his Cabinet, his Vice President, Condoleezza Rice, Secretary of Defense Rumsfeld, these people have made it a commitment of the President to this Nation to protect the security of the people of this Nation. In order to do that, one of their high priorities is the capability of this Nation to stop a missile from coming in within its borders. So they have looked at the treaty. Tonight I want us to look at the treaty to see whether or not the President will be justified in saying that extraordinary events that threaten our national security interests have occurred, which they have, for the Nation and this Congress to support our President, that would allow our Nation, as led by our President, to withdraw from that treaty.

The ballistic missile treaty, they call it the ABM treaty. Those are the initials they use for it. This treaty shall be of unlimited duration. Each party shall, and notice the word “shall,” shall in exercising its national sovereignty, have the right. Remember, it is a right. There is no breaking the treaty. I have read some of the media reports on this, and I am sure some of the commentary coming up in the next few days are going to talk about how the United States of America broke the Antiballistic Missile Treaty. We are not breaking any treaty. We are not walking away from any responsibilities in any treaty out there, especially the Antiballistic Missile Treaty. In fact, within the four corners, within the corners of this treaty, it is right to withdraw from this treaty. What the President has correctly said is that the United States of America intends to exercise that right and withdraw from this treaty.

But let us see what it takes. What does it take? Let us see what it does take to be able to exercise that right to pull away from the antiballistic missile treaty and allow your Nation to build a missile defense system to protect its citizens.

Let us repeat the sentence. Each party shall, in exercising its national
sovereignty, have the right to withdraw from this treaty if it, not the opinion of other countries, not the opinion of the other party to the treaty, but if it, if our Nation, our Nation decides that it is in the interest of this Nation to withdraw from this treaty, it is a right that we have. The right to make that decision does not rest with France or Europe or the USSR. It rests with the United States of America. If it decides that extraordinary, and this is a very important term, extraordinary events have perhaps occurred in the last 29 years, that would allow our President and this Nation and my colleagues and I to stand up and say the treaty is outdated, and for the interest of the United States, and for the interests of the United States, if we have met that. The subject matter of this treaty has jeopardized its supreme interests. This is the key paragraph. This paragraph is a paragraph which in the next few days we will hear lots of commentary about it.

I hope we have good discussion on this. It is a vital paragraph to the future of America. If we want to provide a security blanket for this Nation, which I think we have a fundamental responsibility to do as Congressmen, if we want to provide a missile defense, we have to be able to utilize this paragraph. We have to be able to exercise this article, which the USSR, although it does not exist as the USSR, it has kind of merged into Russia, to Russia that we are within our rights to pull out of this treaty. It is in our interests to begin to provide a missile defense system for this country. If we do not provide today, if our Nation does not exercise its right to protect itself by providing a security blanket for this Nation against the missiles of these parts of the world, remember, today a friend, tomorrow they may not be. Today an enemy, tomorrow they may still be an enemy.

My point is this, and let us go back to our original provision. Just those two events alone, nuclear proliferation and ballistic missile proliferation, they qualify in my opinion as an extraordinary event that is related obviously to missile defense that have jeopardized our supreme interests. If my colleagues do not call the proliferation of ballistic missiles or the proliferation of nuclear weapons, can we really and serious jeopardization of our supreme interests, then you are not awake. So my purpose in appearing tonight is to tell you I could go through some other extraordinary events. Look at where terrorism has come from. I mean, look how much more active it has become in this world. The world has become much smaller, and the hatred in this world now is easier to spread through weapons of mass destruction.

This Nation has the capability to protect itself, and that is the next question we want to ask ourselves. You will hear from some of my colleagues, some might say, oh, my gosh, we could never do it. We do not have the technology available.

I will just skip to Croatia, China, Egypt, France, Iran, India, North Korea, South Korea, Saudi Arabia, Russia, Ukraine, United Kingdom, Vietnam, Taiwan, Syria, South Africa. Take a look at the map. That is what we are trying to get an insurance policy for. The period in 29 years. Today it is increasing at an even faster rate. It is not unrealistic at all to imagine that 10 years from now, there will be a lot less white on this map than there is right now. You may as realistic of the world just become blue. If we do not prepare today, if our Nation does not exercise its right to protect itself by providing a security blanket for this Nation against the missiles of these parts of the world, remember, today a friend, tomorrow they may not be. Today an enemy, tomorrow they may still be an enemy.

The fact is, this country faces a threat; a threat, in my opinion, that could be much more devastating, if we could imagine, much more devastating than the horrible events that took place in this country two months ago.

So my purpose in appearing tonight is to tell you I could go through some other extraordinary events. Look at where terrorism has come from. I mean, look how much more active it has become in this world. The world has become much smaller, and the hatred in this world now is easier to spread through weapons of mass destruction.

This Nation has the capability to protect itself, and that is the next question we want to ask ourselves. You will hear from some of my colleagues, some might say, oh, my gosh, we could never do it. We do not have the technology available.

We do not have it today, because the treaty does not allow us to have it today, but we are well on our way towards overcoming the technological barriers that stand in front of us. Remember, you have a couple of missiles. You have to bring them together at 5,000 miles an hour. We have got to have a satellite system for detection and for laser intercept. There are lots of things that have to happen.

But do not think for one minute that the car you drive today was the car that was originally state-of-the-art 100 years ago. But for one minute think those fighter aircraft that are fighting over Afghanistan protecting our interests, the bombers, or the Jeeps or the
vehicles or the weapons or the laser items we are using, was what we started with in the beginning. Obviously we progress.

It is incumbent, and I could not say this strongly enough, it is absolutely our responsibility, our incumbent upon us to push ahead with the technology to protect this Nation, to push ahead with the security blanket that this Nation will some day need. I do not know how any of my colleagues stand up and look in their constituents in the eye and say, I am going to oppose building a missile defense system for this Nation. Do not go out there and use as an excuse to your constituents, well, it is a big waste of money. I am telling you something: If we do not build a missile defense system, those are statements that some day will come back to haunt us. I believe very strongly, I am telling you some of the statements we are making will be statements of our security that this Nation will be unable to look in the mirror.

The security blanket that this Nation will exercise its right to withdraw from the treaty and proceed to build a system that will protect this Nation from a missile attack. I am not saying this to be harsh, I am not saying this to be offensive in any manner, but it is fact, it is reality, this is probably one of the most important questions of our political career. Are you going to support President Bush in his quest to build a security blanket against missile attack for United States of America? If the answer is yes, then give us your full support. If the answer is no, I hope you really, really think about that answer before you give it, and I hope you think about not only your generation, but your obligations to future generations. Because I think that this about your generation, our generation, our Nation and our future generations, if you really think about it, I do not understand how you could possibly say no, that the United States should continue to obligate itself to a treaty that says we should build a system to defend ourselves against either an intentional or an accidental missile launch.

With that, Mr. Speaker, I would like to move back to my main subject. The second subject I want to speak about is totally and completely away from the first part of my comments this evening. I want to speak about a very parochial interest. I want to talk about the State of Colorado and the interests of the State of Colorado. Obviously there are only six Congressmen from Colorado. There are probably only six Congressmen on this House floor that are going to be interested in regards to the State of Colorado, and, guess what, the redistricting process.

As we know, every 10 years, based on a census across the Nation, every one of our States redraws their Congressional districts. Now, the easiest States for that decision to be made in are States that only have one Congressman. Because of the census, because of the population having gone up, but some States have gone down, or in other States have gone up, there has to be a balancing act. As my colleagues know, some States gain Congressional seats; other States lose Congressional seats. In this particular case, the State of Colorado because it has gained population, moves from six Congressional seats to seven Congressional seats. Now, to get to that seventh Congressional seat, to give it a geographical area within the borders of the State of Colorado, I say, "mine." It is really the only one I am privileged to represent, the Third Congressional District of the State of Colorado. I think it is important that I define it. Some people define it as the western slope of Colorado. It is a very critical part of the Third Congressional District. It is a part of the district that is very compatible with what some people say is the western slope of the district. But the San Luis Valley standing alone is not the Third Congressional District.

What the Third Congressional District really is composed of and the easiest way to think of it is it is primarily almost all of the mountains in the State of Colorado.

Let me give you some statistics about the Third Congressional District. As it stands today, it is the highest district in elevation in the Nation. In other words, there are no higher points in the United States. It is an average of 8,000 feet. We have 67 mountains in the United States that are over 14,000 feet. Of those, 53 of those mountains are in the Third Congressional District, 53 mountains over 14,000 feet. So the Third District, really a fair representation of what the Third District looks like or should be described as is the mountain district. When you go to Colorado, or when you go anywhere in the Nation, since the mountains of Colorado are so popular and highly visited, when you go to people and you say, well, I represent the mountains of Colorado, or you are in the State of Colorado and say I have the mountain district, nobody has to tell you more than you and this exactly what district you represent, because it is unique by geography, it is unique as compared to anywhere else in Colorado, and it is certainly unique as compared to any other district in the Nation.

Now, within the borders of Colorado, the Third District stands out in Colorado for its uniqueness. What are those
To the Rocky Mountains. They cannot make a living of it. So somebody pops up and says, well, let us give them more land. If it takes 160 acres in eastern Colorado; now, again, I want to be parochial about my discussion tonight and kind of focus in on Colorado, and it takes only 160 acres on the other side of the mountains for a rancher to support his family to survive, what does it take on the western side of that boundary, 3,000 acres? Let us give them 3,000 acres.

But what had happened is that this was a period of government, where our leaders were under harsh criticism because the people were saying, you gave too much land away to the railroads. This Intercontinental Railroad that you wanted to build across the Nation, you gave away too much land. There was a scandal. Too much land has been given away by the government to these big railroad corporations. So our leaders were very sensitive, very sensitive about giving any more land away.

So they said, well, what we ought to do is let us just, for the formality, let us let the government keep the title to the land and we will let the people use the land. That is the concept of multiple use. The government owns the land, the public lands, but the people are allowed to use them.

Now, remember, when we take a look at a map of the United States, we will see across the Nation that up to the borders, literally, the borders, in Colorado up to the border of the third district, we will see very little public land. Out here in eastern Colorado, take a look at it. This is Bureau of Land Management lands. They are probably the largest holder of government land in the West. Look at how little land they own. Look where it starts. It starts right on that boundary of the third congressional district. The third district of Colorado is the public lands districts, and there are lots of issues involved whether it deals with water, whether it deals with access, whether it deals with the concept of multiple use, whether it deals with wilderness areas.

We do not have wilderness areas out here. Our wilderness areas are focused on the public lands, and in Colorado they are public lands, here, as shown by this diagram to my left, the public lands are the Bureau of Land Management, they rest in the mountain district, the third congressional district, the mountain district. Let us look further.

The U.S. Forest Service, again, another large holder, another large agency, or an agency that has large holdings of government land. U.S. Forest Service lands in Colorado. Look at the black line as depicted on this map to my left, that line is the third congressional district. That is the mountain district of Colorado. These green lands represent land owned by the government. We can look at that outside the mountain district, our areas in these other five congressional districts, there is very little land owned by the government, very little Forest Service land.

In fact, in some of these communities when they talk about public land, we think they are talking about the courthouse, because literally in these counties, that is all the public land there is. So there are fundamental differences between the mountain district and the Eastern Colorado district.

The national parks are primarily located in the mountain district. Most of Rocky Mountain National Park, or a big chunk of it, the Mesa Verde National Park, our national monuments, the Black Canyon National Park, the national parks in Colorado are primarily located in the mountain district. The same thing applies to our monuments. The majority of monuments, national monuments in the State of Colorado are located in the mountain district.

Now, it is not a community of interest in eastern Colorado. It is not a community of interest in Denver, Colorado, and it is not a community of interest in anywhere, frankly, other than the mountain district. But we can go on, we can go on from public lands and continue to study the uniqueness of the mountain district. Take a look at the head waters of the State of Colorado.

Now, we will remember earlier in my comments I mentioned that this district, the mountain district, is the highest district in the Nation elevation-wise. That includes the mountains, it includes the mountains of the San Luis Valley, it includes the plateaus of the San Luis Valley, just as the mountains are in the mountain district and the mountain district. The mountain district. Black Canyon National Park, the national monuments, the Mesa Verde National Park, our national parks. The Grand Mesa. These plateaus are all high. We get lots of snowfall every year, hopefully we get lots of snowfall every year. A little plug for skiers: we have lots of snowfall this year, but we usually have lots of snowfall.

Now, in the mountain district of Colorado, we get very little rain. I never saw a rainstorm until I got back to the east. Our rains out there maybe last 20, 25 minutes. It is a very cold rain, it comes in very rapidly. Where do we get our water? We depend very heavily on the snowfall for our water. Then, when the snow melts, that is when we are able to store it. If we cannot store water in Colorado, and primarily, that water has to be stored in the mountains of Colorado, if we cannot store water in Colorado, we do not get it, except for about 60 days of the runoff.

So water is a critical factor in the mountain district. It is not a critical factor for the Eastern Colorado district, but the mountain district, logically, because it is the highest point in the Nation, has more head waters in it.
than any other district in the country. It is what they call the mother district of rivers, that mountain district. We have the Colorado River, we have the Rio Grande River, we have the South Platte River, we have the Arkansas River. Take a look, here is the third district. Take a look at the mountains that it has and the water basins.

Now, let me add that the head waters of the river, that is where the river starts. The head waters of a river have a different community of interest than a user of the river downstream. They are completely different communities. They do have in common that they use water out of that river. But where the river starts is a lot different than the location where the water simply runs through. Both of those communities have differing interests. Both of those communities have differing utilization of those water resources. Both of those communities have differing environmental factors to consider. So water is a critical issue.

In Colorado, there is one spokesman, there is one congressional district that can speak for those head waters. Now, the only way that we could increase, have more than one Congressman for the mountain district is to split the mountain district. But if we split the mountain district of Colorado in an effort to provide land for the seventh district, this seventh seat, if we split this district up, what happens is, let us say we did it like this, to the left, or let us just say we came down here and tried to take out the valley, which is very illogical, because the valley is locked in to these mountain communities. The valley is the mountain community. Just because it is a plateau, it is like the Grand Mesa, we could be on the Grand Mesa and think we are at 13,000 feet.

But my point here is that if we split this district up, that is right, we would have 7, that is the number. But if we split it generically, we would have two Congressmen instead of one. But because, in order to justify the population, we would have to go east, east of the mountains. We would have to leave the mountains and go out of their community of interest into the flat areas, into the plains, into the large cities of Colorado to get the population that is necessary to justify that congressional seat.

What does that mean? That means when election time comes around, the numbers, the largest percentage of population is not in the mountains; the largest percentage of population is in the cities or in the plains of Colorado. They then determine who is going to represent the interests of the mountains of Colorado.

Now, remember when it comes to water, the mountains in Colorado provide 80 percent of the water. Eighty percent of the water in Colorado is in the mountains. Eighty percent of the population is outside the mountains in Colorado. We have an inherent conflict. We have one portion of Colorado that is rich in resource and another part of Colorado, by far a big part of Colorado, that is rich in need. They need that resource. So there is a constant tug of war. There is nothing more that the people in need of the water would like than to have control of the mountain communities. And I am concerned about this on this redistricting process.

When we take a look at the mountain district, it is true that we have to give some thought unup, naturally, the district, it is almost like it was made for this process, because in this district we have a community called Pueblo, Colorado. It is a strong community. It is a community that has been a leading example across the Nation of economic recovery. But the community has about 130,000, 135,000 in their county.

We can actually go in without any kind of severe disruption. Since we have to find 106,000 people, we really have two choices. We can go into Pueblo, Colorado and pick up out of the city, right there, 106,000 right out of Pueblo. But if we do not take that 106,000 out of a relatively small area and, by the way, it would be about the size of my pointer, that would be about the size of the area that we would take out of this district. Let us put up a better graph; it would probably be right here. Right down here would be Pueblo, the gray head of this district. This point is the area we are talking about the area. If we took that area out, we could satisfy the requirements for the new congressional seat.

But if we do not take it out of Pueblo, Colorado, if we do not move the City of Pueblo, to find 106,000 people in these mountains, we are going to have to take huge chunks of land. We are going to have to interrupt, we are going to disrupt the community of interest in regards to national parks, in regards to national forests, in regards to national forest land, in regards to Bureau of Land Management land; even in regards to the tribal lands. All of the tribal lands in Colorado are in the mountain district. This district is so unique that there is an obligation, I think, of the legislature and of my colleagues to keep this district intact, to let this district have one voice.

Now, some would say, well, that is kind of interesting, coming from you, because that is the Congressman. Is this not a little self-serving? Let me tell my colleagues, I will win any race I have out there. The geographical area of my district is not of concern to me for my own political interests. The critical key here is, I am the one that is expected to speak up for this district when this redistricting occurs.

So as the spokesman for the district, I have to look into the future. I have to say into the future, what is important for the community of interest of the mountain district of Colorado? Is it important, for example, that the heaviest population be outside the mountains, the water consumers, instead of the water suppliers? It would be a disaster for the mountain district. Is it important to keep all forestlands unified as they are right now? You bet it is. Is it important that the public lands in Colorado, to the extent possible, which, by the way, is 80 percent, is it important that 98 percent of the public lands be in the mountain district where they are located with one unified voice?

The answer is, you bet it is. Is it important that our Forest Service lands right here stay in that district? You bet it is. The community of interest of the third mountain district, the third congressional district is overwhelming. We have a problem. We have too many people. We have to move 106,000 people. I do not want to move anybody. I do not want to lose one single soul, not one single soul out of the mountain district. But look, the law says, hey, the third district, the mountain district is going to have to give up 106,000 people. Where are you going to come up with them?

So with great regret, the only logical place to find 106,000 people is Pueblo. Now, I think Pueblo should be protected in its own way. Pueblo should be the predominant community in its own district. So Pueblo can be taken care of, and it is very important to me personally and as their Congressman that Pueblo be taken care of. But it is illogical, illogical to come out here and divide the mountain district, by either taking the valley out; which taking the valley out of the mountain district is like taking the heart out of the patient and saying, look, the patient is still pretty whole, we just take the heart out.

We cannot take the valley out of the mountain district. Look at the water issues, the mountain issues, the public lands, the national forest, the Forest Service lands, the agriculture, the timber, the mining industry, the tourism industry, all of these are unique to this district in Colorado.
United States because of the resorts: Aspen, Vail, Steamboat, the beauty of the San Luis Valley, the mountains. You name it, a lot of people who have traveled, a lot of people who have traveled in our Nation and been fortunate enough to have been to the mountain district of Colorado.

It would be a shame, it would be wrong, but it would also be a shame to go into Colorado and divide that mountain district, divide its unified voice, divide its ability to elect its representative from the mountains.

If we divide this district up in any significant way, we are going to shift the political power out of the mountains into the big cities, or out of the mountains into the plains. There is not a community of interest there.

Obviously, we feel very proud of the fact that we are all Coloradans, and we love those Colorado Buffaloes. There are a lot of things on which we feel as a State we are unified. But within the family of the family, the assets and the other parts of the family have different assets. We all bring to the table our own unique strengths.

It would be a mistake within the family to take one of our family member's, our district, and we speak of the districts, and to split it up. What we should do is try and maintain the strength of each member of our family. We have six members in our family. We are bringing in a seventh member. What we need to do, is with the least amount of disruption, to provide for the seventh member of the family.

We can do that by protecting the interests of Pueblo, for example, and yet protecting that community of interest which bears out so strongly, so strongly in Colorado.

Again, let me just repeat, and I could go on in much more explicit detail, and I am sure that I will be doing that within the immediate future, but my point is this: the mountain district of Colorado, which includes the headwaters of the rivers of Colorado, which includes the San Luis Valley and the vast mountain ranges of the San Luis Valley and the plateaus, the high plateaus, and the western slope, that some people have called the western slope, that all combines now to make a very well-suited, a very strong and a very commonsense district when we consider the community of interest.

A community of interest is everything from ski areas to tourist traffic, the heaviest tourist communities. People go to Colorado to see the mountains. They go to Colorado primarily to see the mountain district. Now, sure, they like to go see the Air Force Academy, that is gorgeous, and things like that. But overall, when we speak of Colorado, we think of mountains. That is the mountain district.

So it is not only ski areas, it is not only tourism, it is the water. Remember that I said earlier that the mountain district has 80 percent of the water. The other five districts have 80 percent of the consumers. It is the national forests. By far, the mountain district probably has 88 percent of the national forests. It has probably three and a half of the four national parks. It has almost all the national monuments.

The point is this: the mountain district of Colorado has 80 percent of the water and 80 percent of the people.

H.R. 1, NO CHILD LEFT BEHIND ACT, A GOOD BEGINNING WHICH REQUIRES ADDRESSED RESOURCES TO ASSURE AN EDUCATED POPULACE

The SPEAKER pro tempore (Mr. BOOZMAN). Under the Speaker’s announced policy of January 3, 2001, the gentleman from Colorado (Mr. OWENS) is recognized for 60 minutes.

Mr. OWENS. Mr. Speaker, tomorrow or the next day we will have on the floor the long-awaited H.R. 1. Leave No Child Behind Act, an education bill initiated by the President shortly after he was sworn in.

It is a landmark event. It is a history-making event. We should all look forward to it. It is an example of intensive bipartisan cooperation. It does break new ground, and we should see it as a commencement, a second commencement.

Lyndon Johnson began the Federal role in elementary and secondary education more than 40 years ago when he initiated the first Elementary and Secondary Education Assistance Act, primarily designed to help poor school districts, poor children in poor school districts. This is a continuation of that, a reauthorization of it; but I think it has many elements which will move us forward. It has a lot of bipartisan agreement.

We have moved from a situation which existed about 8 years ago where one party was calling for the abolishment of the Department of Education, and I think the Contract with America set forth by Speaker Gingrich called for an end to the Federal role in coordinating education. We had a very intense year of debate on that; and we fought an attempt to cut school lunch programs, and we fought the demand to cut Head Start. It was the depths of bipartisan conflict on education.

Fortunately, the American people let their voices be heard, and they made it clear through the polls and through the focus groups that they considered education to be a high priority, and they wanted more Federal participation in education.

By 1996, in the process of reauthorizing or setting forth a new budget, the end of 1995, actually, the party in power here in the House, the majority party, was in power, the Republican Party, saw the light, and suddenly they began to support the Federal role in education.

The appropriation process I think indicated that when we got a big increase, a more than $4 billion increase in education as a result of the majority Republicans responding to the will of the people. It would have been very disastrous if they had not recognized it and stopped the call for the dismantling of the Department of Education.

So we are at a point now where the perception of the public, according to recent polls, is that Republicans and Democrats are presenting the same in terms of their support for Federal involvement in education, in terms of their support for education. Whether I agree with that perception or not, that is the perception of the public. This bill shows that the two parties can reach agreement about the same thing, and it is a positive achievement. But in my opinion, it ought to be a second commencement.

Now we agree on the basic role, and now we set some basic new directions where I think one of the parties can certainly distinguish itself at this point by recognizing the great need for more resources. I hope it is my party. When we wake up to the realization that all that we have done is important, and nobody should minimize the importance of the bill that will be on the floor, but the great flaw in the bill is that it lacks resources. It does not have the resources to do the job that has to be done.

Let us just stop for a moment and consider some of the activities that are taking place in this first year of the 107th Congress. We have a financial challenge. September 11 certainly heightened and escalated the nature of the challenge, but we had a challenge already in terms of a faltering economy.

Things have been happening here which require some very difficult decisions to be made. In this democracy of ours, keeping the economy going, reacting to a new kind of threat, waging a new kind of war requires an educated population.

I think governance of any modern industrialized society, that is far more difficult than nuclear physics. The governance of a modern society requires first of all an educated population. The most important resource we can have is an educated population.

So the achievement of Congress, the two parties, in reaching the agreement that has been reached that will be on the floor here is nothing but a great mat-

Education is not just an ancillary kind of operation, off to the side, ancillary because, after all, the Constitution does specifically say that the Federal Government is not responsible for education. That is the responsibility of the States and local governments. We have participated sort of as a stimulus and a catalyst to make things happen faster and better, but we are not really responsible. We do not understand it to be a major function of the Federal Government.

I thoroughly disagree with this, and I think that in our new commencement
of the Federal effort, commencement number two, in my opinion, that this bill could be, we ought to take hold of the fact that education is at the very heart of our effort to maintain our society and to move to the point where we can understand the complexities of a cybercivilization, even if it did not have these threats that are very real, the organized terrorist threat that has clearly stated objectives.

"Mein Kampf" was a statement of Hitler's objectives, and if folks had just taken Hitler more seriously earlier, perhaps things would not have reached the point, the destructive point, it reached, because the Oly said what he wanted to do today and was going to do.

If there was a terrorist power that says that our society is a modern society which must be destroyed, and our policies with respect to assistance and aid to the democracy in Israel is unacceptable, but that is just one thing that they find unacceptable, they find it unacceptable because our women do not have to cover themselves up, and we are too modern in allowing women to be equal to men in our decision-making, they do not particularly like democracy because they have kings and shelters. There are so many kinds of people who do not make the decisions, and our whole way of life is threatened, that is very real and we have to rise to meet that threat and understand the seriousness of it when it is also backed by tremendous amounts of wealth, the oil money in the Middle East which finances the whole thing.

We have a serious challenge, and in this session we should be rising to meet that challenge. September 11 in my home city of New York was a horrifying event that no one could have ever imagined. Yet September 11 shows how vulnerable our society is, how complex it is, and how a strike at one nerve center could have a domino effect and impact our entire economy.

The recession was already in place, so we cannot blame September 11 for the continued downturn and the escalation of the economic downturn, but it certainly had a great impact on it. Communications were disrupted, the financial center of the United States and of the entire world was almost brought to its knees, and Wall Street really shut down for a few days.

So it is very real, and as we marshall our resources to meet this threat, let us not put education off to the side as being something that is nice to do, but really is not at the heart of it.

Our leader spoke very eloquently and forcefully and intensively about the need for a ballistic missile system: Are you with us or are you against us? Are you for a ballistic missile system or are you not? That is going to save America, a blanket to protect us.

Well, Mr. Speaker, the terrorist enemies that we are up against, very clever enemies that we are up against, used airline passenger planes as weapons, and some fanatic out there has used envelopes in the mail as weapons.

I am more frightened of the anthrax scare than I am of a repeat of what happened in terms of the hijacking of four planes on one day and the ability to use those planes as weapons. I do not think that will ever happen again in America.

But the answer and the ease with which somebody out there can threaten a whole system, shut down some offices in Congress, bring the postal service to a halt, that is very frightening.

And so we are going to need all the resources we can marshal. We are going to need a well-educated populace. We should not ever be in a situation again where the anthrax cleanup is so slow because there are not enough specialists around to do it, especially since anthrax has been a concern of ours since the Gulf War. We began to be concerned about anthrax since the Gulf War. We even vaccinated large numbers of American troops to deal with the possibility of an enemy who might use anthrax. So I was surprised when we discovered we had a problem here on Capitol Hill and there were so few people to deal with it rapidly, and they did not know how exactly to deal with it.

There were a number of blunders that were quite obvious from day-to-day on the television set which showed that we were not prepared. I would rather be prepared for that kind of warfare than to put all of our resources into a ballistic missile system and to make that the great test of whether we really care about protecting America or not. A ballistic missile system will cost billions and billions of dollars, and there is a doubt about how effective it would be. And if it is not effective, it must be so expensive, once it is put in place, can be expected to do what it is supposed to do, we are dealing with an enemy which can quickly see that the use of anthrax through the mail or the introduction of smallpox viruses in various ways into our society could accomplish far more havoc than a single missile can accomplish at any time, if it is done in a way which catches us off guard, if we do not have sufficient specialists and experts, and if we do not have sufficiently-staffed medical institutions that can detect and diagnose right away.

There are so many areas where we need more expertise, we need more people who can deal with these problems than we have. So September 11 is a wake-up call, a very tragic kind of wake-up call, but we need to understand the war effort is just one more example of how this Nation will not survive unless it has a better educated populace to deal with all of these new problems the future cannot be predicted ahead of time.

What have we done here in the 107th Congress? In the first year of the 107th Congress, even with the war threat, I do not think we have rallied to meet the challenges that are before us. Day after day, and Christmas is just around the corner, the holiday season is upon us, and there is talk of us having to be here for the rest of the week and then come back next year before Christmas. It looks like some kind of heroic effort is going on.

After all, there is a war, and so you can understand how the calendar can be followed. It has been followed in previous years, but it is not the war, I assure you. It is the great mismanagement of resources here by the majority party.

We do not need to be here, and it is not a good use of taxpayers' resources to have us here. It is not a good use of our time and energy to have us separated from our constituents so much during this period. Many of the votes that we have taken this year, and I must say this because people are watching every vote, every one of the time in relation to his voting record.

And the voting record is a statistical thing. They do not really want to look into it very carefully, see the details, or what you were voting on, it is just 95 percent or 96 percent or 100 percent, 90 percent, and that is it. How many times you voted on the Journal is not considered, and how many times you took junk votes.

This majority party that we have in the House of Representatives is a master at a new product called junk votes. I call them. Votes that do not matter. Somebody invented the term "junk bonds" a long time ago. Junk votes are votes that are really not important at all and are distracting. I guess you cannot say that they are that harmful. A resolution to reaffirm that the golden rule is a good rule to follow. That is a resolution that we would all vote for. It is not going to do anybody any harm. A resolution that the President is for is a great thing. Those kinds of resolutions have been coming all the time this year. Our suspension calendar is full of items that are really quite trival. We could really have been spending more time at home, we could have managed the serious votes in a manner which would allow us to be here just for serious votes and we could have more time on the floor for serious debate.

The most serious issues, the bills which have the most serious content are the ones we give the least amount of time. That is the way the majority operates here.

I am proud to report that finally we got the conference process back operating in a democratic mode again, and the conference process for H.R. 1, Leave No Child Behind, was a model of what this institution should be all about. The Senate and the House conferences met, they met in public, they negotiated, the staff carried the process through, all the Members were involved, and it was like we were back to old-fashioned democracy.
that has not happened much in the last 6 to 8 years since the Republican majority took over.

I know we are not supposed to talk about the other body that much, and that the Chair gave great liberties to two or my colleagues more recently reminding them of that, but I think you can talk about a functioning, productive conference committee.

We worked very well together and we produced a good piece of legislation. But, again, I am going to come back to its shortcomings. That legislation should be seen as a good beginning, and where we go from there is what I would like to discuss tonight.

But before I get to that, I just want to talk about the fact that an educated population also is a population that must be able to discern what facts are and combat and counteract the stretching of the truth.

I have two of my colleagues on the Republican majority side earlier tonight talk about the achievements of this House, and they dared to say that we have taken steps to deal with the serious problem of unemployment, we have taken care of the health of workers in an economy which is in a downturn, and that we have done our work. Where are the facts to support that? Where is there a response to the rapidly increasing unemployment? In none of the legislation that passed in this House will you find it.

In many of the proposals that the Democrats have proposed there was a clear effort to try to deal with the immediate problem of unemployment. We had proposals which stretched the number of weeks that you could receive unemployment payments. We had proposed to increase the amount of unemployment insurance the person could receive. We had proposals even to provide health insurance for workers who lost their health insurance as a result of leaving. We had proposals for training. All those were rejected by the majority party, yet we have had thousands of workers who came back here on the floor and said that they had taken care of business related to the intense problems faced by workers in an economy experiencing a downturn.

We need an educated population which can sort out those kinds of facts which are so close to home, and no one should be able to get away with distortions of that kind without being challenged by our constituents. It is a complex world. The complexities of the world demand that we have an educated population.

If the definition of an adequate education probably in most State constitutions is similar to the definition we find in the New York State constitution. Probably not the same wording, but there is a basic assumption which has to be made. It is that education, the opportunity for education for that they were talking about an adequate education. They do not mean providing people with some luxury education that will allow them to speak many languages and have their own set of computers and technology, et cetera. But a basic and adequate education, as defined in the New York State constitution, is an education which will allow students to become productive citizens capable of civic engagement and sustaining competitive employment. Capable of civic engagement and sustaining competitive employment.

That seems to sound basic education is according to the New York State constitution. That is no small item. I assure you. To be able to have students who become productive citizens capable of civic engagement and to be able to sustain competitive employment might have been far simpler 200 years ago, when the constitution of the State of New York was written, but in order to be able to sustain competitive employment, you need to know far more than just to read and write. Why not begin with that, we have a problem just teaching reading.

But we need to understand that the education that citizens need in our democracy demands that they be able to do far more than that, and that is going to require a complex system which is accountable. And the other part of it, a productive citizen capable of civic engagement, our democracy will not survive if we do not have citizens capable of civic understanding and what our decision-making process is all about and what it needs to do.

Now, it is to our credit that sometimes the public is way ahead of us. The public, the constituents out there, with the education that we have offered, we must be doing something right because they consistently insist that education should be a high priority of the government. The people of America, for the last 5 to 6 years, have been placing education as the top three priorities. In the last 10 years it has been among the top five priorities. So there is something about our populace which makes them understand what the people they elect are quick to forget.

We trivialize education. We do not make it a high priority except in terms of rhetoric. The highest priority items receive the greatest portion of the budget. There is a correlation between appropriations and priorities in this Congress and we are not in the same place that the American people are. They would like to have us do far more.

So capacity for civic engagement may be greater than we think and may be greater than we as decision-makers for those same people who are engaging in civic activity deserve. We deserve better action here to reflect that.

On the other hand, they do not understand the complexities of the world in terms of place and peace and in terms of how our relations with foreign governments are necessary to protect us. Those things get short shrift until we have a September 11, and then we understand that we cannot go it alone; that we have to have coalitions; we have to have some standards; we have to answer the charge that we exploit the rest of the world; we have to answer the charge that our foreign policy is rampant with favoritism toward one nation or another.

Why should not our foreign policy lean in the direction of supporting democracies? There are a number of ways to answer that, but we have to be able to articulate that not just as a government but the people have to understand it, too.

We need a population that is educated to understand the best utilization of taxpayer resources. Was it good for us to have voted millions of dollars for the airline bailout, the cash for the bailout and the long-term, low-cost, low-interest loans for the airline industry bailout? Is that industry really that critical in our economy? Well, from the looks of the tourist industry and the repercussions of the lack of airline industry functioning properly, I don’t think it is. Those kinds of judgments people need to make.

Some are complaining quite a bit about that. Certainly I think they have a right to complain about the fact that if the airline industry is important, we should have taken steps to take care of the workers in the airline industry at the same time we helped the management and the owners of the airline industry. Those kinds of decisions and analyses of events are, I think, perhaps the judgments people need to make.

There is an insurance subsidy we have now voted. Some of the things we have done here are new and monumental. The insurance subsidy is one of them. I think the airline industry bill, the same bill that bailed out the airline industry, had a compensation fund which is also breaking new ground where the Federal Government is going to provide compensation for all the survivors of the victims of the September 11 tragedy. I think it is a great step forward. We broke new ground there. Is that a good idea, really? And what is that really all about? Every citizen ought to be able to clearly understand.

We are not trying to enrich anybody at the expense of taxpayers, but that is the kind of thing that government should be doing. But we ought to really understand that for what it is worth.

Enron might seem like something totally unrelated to education, and why am I bringing up the Enron disaster? Most folks are not aware of the fact that Enron is a major economic disaster. Enron is the largest corporate bankruptcy ever experienced by America.

It reminds me of the savings and loans phenomenon on the commissary decades ago. Anything as big as Enron was deemed, any bank that had that kind of position in the economic structure, was deemed too big to fail.

The whole policy of the Congress was to step in and bail out the banks, and
we did. Billions of dollars of taxpayers' money went into bailing out banks. Citizens never quite understood that, and most Members of Congress did not understand how many billions of dol- lars were spent. It is estimated that the taxpayers spent at least $500 billion bailing out the savings and loan industry.

Is Enron something new that we are going to be confronted with? Are we going to bail out Enron? Will there be other energy companies that are too big to fail that we are going to come up with a set of legislative actions to undergird? Is that kind of swindle going to be perpetrated again?

An article appeared recently in the paper about the Pritzker family bank in Illinois. That bank went under as a result of shenanigans. The savings and loan swindle was basically a swindle where people were encouraged to put their money in, and they were given very high rates for their investment because that would attract deposits. Once their deposits were in, every $100,000 worth of deposits was insured by the Federal Government. So people did not mind going where the highest rate was offered. If a savings and loan offered a rate that people moved their money there because they knew if they put $100,000 in, it started out at $10,000, but Franklin Roosevelt and the New Deal, we pushed it up to $100,000. So it became profitable for banks to call in the money, knowing that their investment would be safe, and then those banks that gathered all of that money misused it in terms of the investments that the banks made. People stole in various ways. In the final analysis, the Federal Government was handed the bill.

Mr. Speaker, are we going to get into another swindle like that with energy companies? We need a very well-educated population to deal with these complex issues. The governance of a modern, industrialized society is more dif- ficult than nuclear physics; and edu- cation is not an ancillary function on the side, not for the Federal Government. So people who have the primary responsibility for education, the State and the local education agen- cies, a spotlight which is standardized. There would be a spotlight in each State which does not vary from State to State as a way to judge progress, to make each State accountable in ac- cording with a set of national standards. That is the most important fea- ture of the bill. If it does nothing else but focus on reading, the accountability process whereby States have to let it be known what they are doing, the public will know, and we will see step by step what happens.

The bill would provide nearly $1 billion for a program aimed at having all children reading by the third grade. That is a good feature of the bill, an emphasis on reading. We found that reading is basic to education. You cannot have education without a certain emphasis on reading. Very few people were given special instruction in reading who became teachers of reading.

There are some good features in terms of more resources for each local education agency because it would free up the funds that they are now spend- ing for special education. They are re- quired by the Constitution according to the Supreme Court interpretation to provide an education for all children regardless of their disabilities. So they must spend the money regardless of whether the Federal Government gives them funding or not. It is the Fed- eral Government's role in enforcement of educa- tional standards requiring every pub- lic school student in the country to is able to function with a tuition of $1,400.

Poor parents would have to make up the difference which sort of was a con- tradiction. If you are poor, how are you going to raise the difference between $1,400 and $4,000 or $5,000?

That was taken off the table, and I con- gratulate the President for doing that.

The President also insisted that we go back to the original purpose of the Elementary and Secondary Education Act and concentrate the funds that are available on the poorest children. Con- centrate the funds available on the children with disabilities. The two functions of the Federal Government which must be given the highest pri- ority for assistance in education are the poor and those who have disabil- ities and need special education. We are back to where we should have been, and President Bush should be given credit for pushing aside all of the temp- tations of our majority party in this House. Certainly, more educational funds were available and try to spread them as much as possible re- gardless of how much wealth a district had already.

Members wanted to take something home to their district for education, and we had a great deal of pressure to take the title I funds and sort of dis- mantle them. President Bush has brought a halt to that and deserves credit for refocusing the resources of the Federal Government on the worst problems as the highest priority.

We did have a big discussion about the need for the Federal Government to live up to its commitment which was made 25 years ago to provide 40 percent of the cost of special education funds. We passed a bill more than 25 years ago which said that we would cover 40 percent of the expenditure of each State for special education, which is called IDEA. At this point 25 years it is only 10 percent of the cost of the funds, and we wanted to move and there was a great debate in the con- ference committee, we wanted to move from the 10 percent to a full 40 percent funding over the next 10 years; and we were unable to get that provision ac- cepted by the Republican majority in the House.

That is still unfinished business, but that is very much consistent with my message for tonight, and that is if we have a certain amount of 40 percent funding for special education, it would be a great jump forward in terms of more resources for each local education agency because it would free up the funds that they are now spend- ing for special education. They are re- quired by the Constitution according to the Supreme Court interpretation to provide an education for all children regardless of their disabilities. So they must spend the money regardless of whether the Federal Government gives them funding or not. It is the Fed- eral Government's role in enforcement of educa- tional standards requiring every pub- lic school student in the country to take state-administered reading and math tests in grades 3 through 8, and holding schools and educators account- able for the result.

The bill also requires States to estab- lish a minimum level of proficiency on the new tests. Preparing for steady progress in bringing all students up to that level that they establish within 12 years. In addition, the measure would require States to report progress pro- toward the goal by several student sub- groups defined by race, ethnicity, socio- economic status and other factors. A statistically representative sample of students in each State would take the National Assement of Edu- cational Progress, a highly regarded Federal test, to set a benchmark for the State exams. The school that fails to meet the improvement timetables would be subject to escalating assist- ance and sanctions, and parents of stu- dents attending failing schools would be given new educational options.

In various ways the spotlight would be thrown on the people who have the primary responsibility for education, the State and the local education agen- cies, a spotlight which is standardized. There would be a spotlight in each State which does not vary from State to State as a way to judge progress, to make each State accountable in ac- cording with a set of national standards. That is the most important fea- ture of the bill. If it does nothing else but focus on reading, the accountability process whereby States have to let it be known what they are doing, the public will know, and we will see step by step what happens.

The bill would provide nearly $1 billion for a program aimed at having all children reading by the third grade. That is a good feature of the bill, an emphasis on reading. We found that reading is basic to education. You cannot have education without a certain emphasis on reading. Very few people were given special instruction in reading who became teachers of reading.

There are some good features in terms of more resources for each local education agency because it would free up the funds that they are now spend- ing for special education. They are re- quired by the Constitution according to the Supreme Court interpretation to provide an education for all children regardless of their disabilities. So they must spend the money regardless of whether the Federal Government gives them funding or not. It is the Fed- eral Government's role in enforcement of educa- tional standards requiring every pub- lic school student in the country to
that they do not have to budget for in their own budget for that purpose. They could use that for some other education purpose.

The bill increases Federal funding despite the fact that it does not increase the funding for special education, it still funds Federal funding by $3.7 billion. And funding for title I for the poorest children would double over the next 5 years. These are positives, and it is a good beginning and we need more. We need more to deal with the fact that our system of education that our complex civilization requires to enough children, to enough people, to keep pace with the need.

In other words, our cyber-civilization requires a tremendous amount of brain power, and the production of that brain power takes place in our school system. Since we have 83 million children in public school, that is where most of the brain power is produced. And the increased Federal funding will produce the brain power needs of a cyber-civilization; we are going to crumble. We are going to fall. We need enough brain power to fill the positions in our government, in our military, in our technical areas, in our schools, which through and through there is a demand for more and more and better brain power.

I am going to read some excerpts from a speech I made at the Yale Political Union on Monday, November 26.

Mr. Speaker, I include for the RECORD my speech in its entirety. It is entitled, "Congress Should Spend More to Reform Public Education."

CONGRESS SHOULD SPEND MORE TO REFORM PUBLIC EDUCATION

(By: Congressman Major R. Owens: Yale Political Union—Monday, November 26, 2001)

There are a number of interesting appropriation dollar figures and funding facts which might serve as a useful skeleton for this discussion:

The highest per pupil cost is paid by the American taxpayers supporting a public institution to educate a student at West Point. The price tag involves three times the cost of educating a student at Yale.

There are about sixteen thousand school districts in America. Among the diverse school districts in New York State the cost per pupil ranges from seven thousand to twenty-six thousand dollars.

The gross expenditure for education in America is more than $700 billion; federal dollars are only seven percent of this amount. The national governments of all of the other industrial nations are far more deeply involved.

There are 4,070 higher education institutions in America; 1,688 of these are public institutions. In the year 2001, about 1.2 million higher education students received Bachelor Degrees; the projection for the year 2005 is 1.25 million graduates.

There are 8.3 million students attending the public schools of America; the total enrollment for four year higher education institutions in 2001 was 9.4 million students.

The workforce predicted by the U.S. Department of Labor for the period between now and the year 2008 for the following occupations are: 1.6 million teachers; 1 million registered nurses and medical technicians; 1.3 million police, detective and other law enforcement and security personnel.

Dan Goldin, the retiring Administrator of NASA predicts a "technological sunomi" requiring 2 million additional scientists and engineers over the next 20 years. At H.R. 1, the Priority Education Initiative, presently being negotiated by a House-Senate Conference Committee, authorizes the Appropriators to raise the overall federal share in education expenditures from 7 percent to 8 percent within five years.

This set of numbers and revealing observations could launch us on many diverse and interesting course. However, it would be more profitable if we could focus this brief platonic airwave on a survival of the idea of the performance of the nation is inextricably interwoven with the collective initiative to reform public education. When we contend that "Congress Should Spend More to Reform Public Education", we are really insisting that Congress should spend more money on education in order to guarantee the survival of the nation. I am making this assertion at the outset, in order to make it clear that this is not a "mickey-mouse" session about adding a few dollars here or there to get higher public school students, or, in the words of the president of the Information Technology Association, Dan Goldin, recently announced that at NASA there are twice as many engineers over sixty than there are under thirty. Goldin predicts that two million additional scientists and engineers will be needed over the next twenty years when we be experiencing a "technological sunomi".

From our routine and less visionary source the U.S. Department of Labor is projecting occupational shortages which is the first roll call beyond science and technology: The projected number of job openings due to growth and net replacements between now and the year 2008 is 1.6 million teachers; 1 million registered nurses and medical technicians; 1.3 million law enforcement and security personnel. The Information Technology Association estimates that two million information technology professionals will be needed. When you add this same degree of need for more doctors, geneticists, pharmaceutical engineers and in the biological sciences should be considerable fear aroused among national decision-makers when we consider the fact that the number of college graduates from medical schools and medical students will hover at only 1.2 million per year during this seven-year period.

At the mouth of America's great educational funnel from Head Start and kindergarten through elementary and secondary education to our colleges and universities; at the position of our raw material we are 83 million students attending public schools. The challenges of public education reform stated in simple arithmetic is a matter of demands for higher numbers of college graduates per year from a base of 83 million. In addition to doubling and tripling the number of college graduates, the public education system that prepares our educated technicians, mechanics, craftsmen and operators. The performance of the mechanic and the technician is as critical as the performance of the pilot of the plane. At every occupational level, the pursuit of better quality is as important as the need to produce greater numbers.

Education adds value to all who are engaged. Even the worst student exist from an education experience with some degree of improvement. The system must be designed to add as much value to every pupil as possible. Society requires increasing levels of competence from an increasing number of workers. Who can be prepared by a more effective "churning" process at the mouth of the funnel. Excellence or even basic competence is guaranteed only when there is a merit driven process by pushing new expertise upward to replace the burned out and to challenge smugness or stodginess.

Our inability to more effectively transform the raw material represented by the 83 million public school students has brought us to a critical point where an explosion in need for more brainpower is overwhelming our processes for the production of the necessary brainpower. At other similar pivotal points in our history, sometimes by fortunate accident, sometimes by the vision of geniuses, this nation has adopted sound practical and innovative initiatives in education. By accident and the majority of the states and localities embraced the concept of public schools. As a result of the vision of Thomas Jefferson, the University of Virginia became a model emphasizing publicly supported higher education beyond the liberal arts to embrace practical science, engineering and agricultural production.

The other genius, Governor Morrill, inspired by Jefferson's model, initiated federal support for land grant colleges and universities in all of the states. Following World War II, the GI federal education subsidies provided a massive boost in brainpower pools for a time when more sophisticated mechanization and automation were creating demands for new and better brainpower.

Extraordinary federal support for the higher education which qualified participants for immediate professional positions provided a great incentive for the expansion and improvement of the elementary and secondary public education system. Preparing students for the fields of land grant colleges gives a massive boost in brainpower pools for a time when more sophisticated mechanization and automation were creating demands for new and better brainpower.

In this 107th Congress, the critical question is will a great leap forward be taken to funnel 20 or 25 percent (instead of the present 12 percent) of the 83 million public school attendees into education streams that will allow them to meet the mushing needs of our cybercivilization.

In the 107th Congress, the critical question is will a great leap forward be taken to funnel 20 or 25 percent (instead of the present 12 percent) of the 83 million public school attendees into education streams that will allow them to meet the mushing needs of our cybercivilization. The good news is that the Bush proposal presently in
congressional record—house

December 12, 2001

HR 1 will authorize almost one billion dollars for a new reading program.

The worst news is that even if a full appropriation is achieved for the amounts authorized, this presidential initiative, which is probably all that we can hope for in the next four years will constitute only an incremental increase in funding at a time when states and localities are being forced to reduce funding for schools:

The critical need for smaller class sizes and more qualified teachers requires increases in training.

The infrastructure of school physical facilities needs about 300 billion dollars nationwide, and this problem is not addressed at all.

Computers and other technology which may hold the key to breakthroughs in the education of those most difficult to reach are not encouraged sufficiently.

Appropriations for children with disabilities (IDEA) which moves in DC toward the current already authorized 40 percent of total cost is being proposed by the Senate but opposed by the President. The federal increase would free local funds for greater application toward the needs cited above.

In summary, the Bush initiative, even if improved by current Senate proposals, falls far short of the significant leap forward in federal funding which the present pivotal moment in the nation's development demands. Through four administrations, from Reagan through Bush to Clinton and now another, Congress has strongly recommended and will continue to recommend that we establish new parameters for federal assistance to education:

In order to re-position the present primitive, almost freakish, insistence that the least amount of federal funding for elementary and secondary education is highly desirable, we must learn from the examples of some of the other industrialized nations. Greater federal support which moves from 7 percent toward 25 percent of the overall national education expenditure would not constitute an over-centralized takeover of education; instead, it would represent a logical mean between the extremes of nationalized education, estimated at 80 percent, and more than $370 billion. But Federal dollars are only 7 percent of this amount. When we contend that Congress should spend more money to reform public education, we are really insisting that Congress should spend more money on education in order to guarantee the survival of the Nation. I am making this assertion at the outset in order to make it clear that this is not a Mickey Mouse session about adding a few dollars here or there to get higher public school student test scores. It is more than that.

In addition to providing vital cement for our civic, social and economic infrastructure, our defense, safety, security, our basic national physical survival is directly dependent on the amount and levels of the education of our population. If it fails to maintain its enormous brainpower needs, this great America cybercivilization will fall with a momentum more rapid than the fall of the Roman Empire. Do not be smug. We saw the Soviet empire fall because it turned its back on certain realities. The great American empire can fall, too.

The recent monumental mismanagement and communication blunders of the CIA and the FBI, and I do think some of those blunders led to September 11, the absence of translators to translate important information gathered through our multi-billion-dollar worldwide electronic surveillance system, the failure of the FAA to implement decades-old proposals for the computerization of its increased amount of slovenliness or human error related to the execution of routine but critical tasks, these are
examples of escalating brainpower deficits directly related to our immediate safety and security.

When the most recent super aircraft carrier was launched, less than 2 years ago, it had dozens of unfilled positions because the Navy could not find well trained professionals. The Navy’s ranks persons who could operate the high tech equipment being utilized. National Aeronautics and Space Administrator Dan Goldin, who just retired recently, announced that at NASA there are twofold as many engineers over 60 than there are under 30. Goldin predicts that 2 million additional scientists and engineers will be needed over the next 20 years when we will be experiencing what he calls a “technological tsunami.” A tsunami is greater than a tidal wave, a hurricane or a tornado all put together.

From more routine and less visionary sources such as the United States Department of Labor, we can find projections of occupational shortages which indicate that the deficits will extend far beyond science and technology. The projected number of job openings due to growth and net replacements between now and the year 2008 is about 1.6 million alone. There are 1 million registered nurses and medical technicians. There are a great number of people who are needed as educated technicians, and 1.3 million law enforcement and security personnel. The Information Technology Association estimates that 2 million information technology professionals will be needed. When we add to this same defice of need for more doctors, geneticists, pharmaceutical engineers, lawyers and MBAs, there should be considerable fear aroused among national decisionmakers when we consider the fact that the number of college graduates, although we have 4,000 degree-granting institutions in America, the number of college students who graduate each year hovers at 1.2 million per year. Over this 7-year period where we project all those needs for new people who are highly trained, we will be graduating only 1.2 million students per year.

At the mouth of America’s great educational funnel, if you look at an upward funnel, a funnel where down at the bottom is all these 85 million public school students and as you go through the education process they funnel up into our higher education institutions and sometimes into 2-year colleges or sometimes into technical institutions, from the mouth, this source of 83 million students, we should get a better return than 1.2 million graduates from college. We should double that instead. In addition to public education, students who will go to college, we should also understand that there are a great number of people who are needed as educated technicians, mechanics, craftsmen and operators. The performance of the mechanic servicing an airplane is as critical as the performance of the pilot of that same plane. The money is spent to train pilots, but we should also know that at every occupational level, the pursuit of better quality is as important as the need to produce greater numbers.

Education adds value to all who are engaged in education. Even the worst student exits from an education experience with some degree of improvement. The performance of the mechanic servicing an airplane is as critical as the performance of the pilot of that same plane. That is how much value to every student as possible. Society requires increasing levels of competence from an increasing number of performers who can be produced only from a more effective education system. The performance of those who are need for more brainpower is overwhelming our process for the production of the necessary brainpower. At other similar pivotal points in its history, sometimes by fortunate accident and sometimes through the vision of geniuses, this Nation has adopted sound practices and innovative initiatives in education. By fortunate accident, the majority of the States and localities very early in the history of the Nation embraced the concept of public education. A quotation of which was taken by Thomas Jefferson, the University of Virginia became a model emphasizing publicly supported higher education beyond the liberal arts, publicly supported higher education which embraced practical science, engineering and agricultural production.

Another genius following in the footsteps of Thomas Jefferson, Congresswoman Bretz, following the Civil War, when he was inspired by Jefferson’s model, he initiated the Federal support for land grant colleges and universities in all the States. Later on following World War II, the GI Federal education subsides provided a massive boost in the brainpower pools in America at a time when more and more machinery and automation were creating demands for new and better brainpower.

Senator Warner of Virginia at our last meeting of the Senate-conference committee made a very moving speech about the fact that he was educated as a result of the GI subsidies. He got 7 years of education subsidized by the Federal Government. That made all the difference in his life.

Extraordinary Federal support for the higher education, the quality of education, the participation for immediate professional jobs, the Federal Government did support higher education very early and that started a system which provided incentives for students to go up and there was a clear pattern that if you got a decent education at the lower levels, you could go on to get a professional education in the colleges. Preparing students for college is the first priority that most local school districts see. That is what they are in the Federal Government did support higher education very early and that started a system which provided incentives for students to go up and there was a clear pattern that if you got a decent education at the lower levels, you could go on to get a professional education in the colleges. Preparing students for college is the first priority that most local school districts see. That is what they are in the Federal Government did support higher education very early and that started a system which provided incentives for students to go up and there was a clear pattern that if you got a decent education at the lower levels, you could go on to get a professional education in the colleges.

Preparation for college is the first priority that most local school districts see. That is what they are in the Federal Government did support higher education very early and that started a system which provided incentives for students to go up and there was a clear pattern that if you got a decent education at the lower levels, you could go on to get a professional education in the colleges.

Preparation for college is the first priority that most local school districts see. That is what they are in the Federal Government did support higher education very early and that started a system which provided incentives for students to go up and there was a clear pattern that if you got a decent education at the lower levels, you could go on to get a professional education in the colleges.

Preparation for college is the first priority that most local school districts see. That is what they are in the Federal Government did support higher education very early and that started a system which provided incentives for students to go up and there was a clear pattern that if you got a decent education at the lower levels, you could go on to get a professional education in the colleges.

Preparation for college is the first priority that most local school districts see. That is what they are in the Federal Government did support higher education very early and that started a system which provided incentives for students to go up and there was a clear pattern that if you got a decent education at the lower levels, you could go on to get a professional education in the colleges.

Preparation for college is the first priority that most local school districts see. That is what they are in the Federal Government did support higher education very early and that started a system which provided incentives for students to go up and there was a clear pattern that if you got a decent education at the lower levels, you could go on to get a professional education in the colleges.

Preparation for college is the first priority that most local school districts see. That is what they are in the Federal Government did support higher education very early and that started a system which provided incentives for students to go up and there was a clear pattern that if you got a decent education at the lower levels, you could go on to get a professional education in the colleges.

Preparation for college is the first priority that most local school districts see. That is what they are in the Federal Government did support higher education very early and that started a system which provided incentives for students to go up and there was a clear pattern that if you got a decent education at the lower levels, you could go on to get a professional education in the colleges.

Preparation for college is the first priority that most local school districts see. That is what they are in the Federal Government did support higher education very early and that started a system which provided incentives for students to go up and there was a clear pattern that if you got a decent education at the lower levels, you could go on to get a professional education in the colleges.

Preparation for college is the first priority that most local school districts see. That is what they are in the Federal Government did support higher education very early and that started a system which provided incentives for students to go up and there was a clear pattern that if you got a decent education at the lower levels, you could go on to get a professional education in the colleges.

Preparation for college is the first priority that most local school districts see. That is what they are in the Federal Government did support higher education very early and that started a system which provided incentives for students to go up and there was a clear pattern that if you got a decent education at the lower levels, you could go on to get a professional education in the colleges.

Preparation for college is the first priority that most local school districts see. That is what they are in the Federal Government did support higher education very early and that started a system which provided incentives for students to go up and there was a clear pattern that if you got a decent education at the lower levels, you could go on to get a professional education in the colleges.
which would have been a great step forward.

Through four administrations, from Reagan through Bush to Clinton, and now another Bush, I have strongly recommended and will continue to recommend that Federal funding for elementary and secondary education is highly desirable, we must learn from the examples of some of the other industrialized nations. Greater Federal support which moves from 7 percent toward 25 percent of the overall national educational expenditure would not constitute an overcentralized takeover of education. Instead, it would represent a logical need between the extremes of nationalized education ministries and the present 16,000 underfunded school districts in 50 States in America. In other words, we are in an extreme position. We are at the lower end of support for our school systems, 7 percent of the total education bill, versus some kind of cutoffs which are at the other extreme where the education is totally run by the national government and they get some bad results as a result of that. But let us not remain at that extreme. We should move toward greater Federal participation.

Immediate significant Federal funding initiatives should focus on large nonrecurring capital expenditures like some bad results as a result of that. But let us not remain at that extreme. We should move toward greater Federal participation.

Priority Federal funding should continue to go to educate the poor and children with disabilities. Special Federal funding must be made available to validate, certify and promote education innovations that work. The best programs and practices must be as sisted in scaling up and replicating to maximum throughout the Nation, and Federal money is necessary to allow them to do that.

Without bullying states and localities, Congress should continue to promote higher standards for student achievement and for opportunities to learn. Funding to systematically expand support for research, development and dissemination of information must be greatly increased, because none of the schools are in a position that kind of very important activity.

My final word is that society’s fullest possible support of public education should not be viewed as a noble gesture or a governmental philanthropic gesture or the most prominent of a safety net for those too poor to pay for their children’s education. The far wiser and more productive public policy viewpoint must assume that public education is a necessity vital for the functioning of our very complex cyber-civilization.

This Nation, our great American Nation, literally will not be able to sur vive without an adequate and continually updated public education system. Brain power is our best protection for the future.

RECESS

The SPEAKER pro tempore (Mr. BOOZMAN). Pursuant to clause 12 of rule I, the Chair declares the House in recess until approximately 7 a.m. Accordingly (at 10 o’clock and 46 minutes p.m.), the House stood in recess until approximately 7 a.m.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 8 of rule XII, executive communications were taken from the Speaker’s table and referred as follows:

4801. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agen cy’s final rule—Clean Air Act Full Approval of Operating Permit Program; District of Columbia [DC-TS-2001-01a; FRL-7112-5] received November 30, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

4802. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agen cy’s final rule—Clean Air Act Final Full Approval of Operating Permit Program; Virginia [VA-TS-2001-01a; FRL-7112-5] received November 30, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

4803. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agen cy’s final rule—Clean Air Act Final Full Approval of Operating Permit Program; State of Hawaii [HI062; FRL-7111-5] received November 30, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

4804. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agen cy’s final rule—Clean Air Act Final Full Approval of 40 CFR Part 70 Operating Permits Program; Minnesota [FRL-7111-7] received November 30, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

4805. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agen cy’s final rule—Clean Air Act Final Full Approval of Operating Permit Program; Wis consin [WI092; FRL-7111-8] received November 30, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

4806. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agen cy’s final rule—Clean Air Act Final Full Approval of 40 CFR Part 70 Operating Permits Program; Indiana [IN003; FRL-7111-8] received November 30, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

4807. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agen cy’s final rule—Clean Air Act Final Full Approval of Operating Permit Program; Illinois [FRL-7112-1] received No vember 30, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

4808. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agen cy’s final rule—Clean Air Act Final Full Approval of Operating Permit Program; Michigan [FRL-7111-6] received November 30, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

4809. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agen cy’s final rule—Clean Air Act Final Full Approval of State Underground Storage Tank Program [FRL-7110-6] received November 30, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

4810. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agen cy’s final rule—Clean Air Act Final Approval of Operating Permits Program; State of Vermont [VT-057; FRL-7112-2] received November 30, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

4811. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agen cy’s final rule—Clean Air Act Final Approval of Operating Permits Program; Arizona [AZ060-OPP; FRL-7112-8] received November 30, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

4812. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agen cy’s final rule—Clean Air Act Final Full Approval of Operating Permit Program in Alaska [FRL-7113-9] received December 3, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

4813. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agen cy’s final rule—Clean Air Act Final Full Approval of Operating Permit Program; State of New York [NY002; FRL-7113-3] received December 3, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

4814. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agen cy’s final rule—Clean Air Act Final Full Approval of Operating Permit Program; State of Oklahoma [OK-FRL-7113-7] received December 3, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

4815. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agen cy’s final rule—Clean Air Act Final Full Approval of Operating Permit Program; State of California [CA-FRL-7113-5] received December 3, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

4816. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agen cy’s final rule—Clean Air Act Final Full Approval of Operating Permit Program; State of Texas [TX-002; FRL-7113-6] received December 3, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

4817. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agen cy’s final rule—Clean Air Act Final Full Approval of Operating Permit Program; State of Arizona [AZ062-OPP; FRL-7113-4] received December 3, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

4818. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agen cy’s final rule—Clean Air Act Final Full Approval of Operating Permit Program; State of Hawaii [HI062; FRL-7111-5] received December 3, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.
Protection Agency, transmitting the Agency’s final rule—Clean Air Act Full Approval of Title V Operating Permits Programs; Clark County Department of Air Quality Management, Washoe County District Health Department, and Nevada Division of Environmental Protection, Nevada [NV 065-Pt70; FRL-7113-8] received December 3, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

4819. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency’s final rule—Clean Air Act Full Approval of 34 Operating Permits Programs in California [CA065-Pt70; FRL-7113-5] received December 3, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

4820. A letter from the General Counsel, Department of the Treasury, transmitting a draft bill which would modify the current process by which Federal agencies are billed, and make payment, for water and sewer services provided by the District of Columbia; to the Committee on Government Reform.

4821. A letter from the Secretary, Department of Energy, transmitting the semi-annual report regarding programs for the protection, control and accountability of fissile materials in the countries of the former Soviet Union, pursuant to Public Law 104-106, section 333(b) (110 Stat. 617); jointly to the Committees on Armed Services and International Relations.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for Printing and reference to the proper calendar, as follows:

Mr. STUMP: Committee of Conference. Conference report on S. 1438. An act to authorize appropriations for fiscal year 2002 for military activities of the Department of Defense, for military constructions, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes (Rept. 107-333). Ordered to be printed.

PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII,

Mr. YOUNG of Florida introduced a joint resolution (H.J. Res. 78) making further continuing appropriations for the fiscal year 2002, and for other purposes; which was referred to the Committee on Appropriations.

NOTICE

Incomplete record of House proceedings. Today’s House proceedings will be continued in the next issue of the Record.
The Senate met at 9:30 a.m. and was called to order by the Honorable HILLARY RODHAM CLINTON, a Senator from the State of New York.

PRAYER
The Chaplain, Dr. Lloyd John Ogilvie, offered the following prayer:

Almighty God, we praise You for Your faithfulness. Now in this sacred season, we join with Jews all over the world as they light their menorahs and remember Your faithfulness in keeping the eternal light burning in the temple. We gather with Christians around a manger scene and praise You for Your faithfulness in sending the Light of the World to dispel darkness. Your indefatigable love is incredible. You never give up on us. You persistently pursue us, offering us the way of peace to replace our perplexity. You offer Your good will to replace our grim attitudes to humble adoration.

Help us to be as kind to others as You have been to us, to express the same respect and tolerance for the struggles of others as You have expressed to us by turning our struggles into stepping stones, to understand us as we wish to be understood. Help us to shine with Your peace and good will. In the name of the Light of the World. Amen.

PLEDGE OF ALLEGIANCE
The Honorable HILLARY RODHAM CLINTON led the Pledge of Allegiance, as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE
The PRESIDING OFFICER. The clerk will please read a communication to the Senate from the President pro tempore (Mr. BYRD.)

The assistant legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,

To the Senate:
Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable HILLARY RODHAM CLINTON, a Senator from the State of New York, to perform the duties of the Chair.

ROBERT C. BYRD,
President pro tempore.

Mrs. CLINTON thereupon assumed the chair as Acting President pro tempore.

RECOGNITION OF THE ACTING MAJORITY LEADER
The ACTING PRESIDENT pro tempore. The acting majority leader is recognized.

SCHEDULE
Mr. REID. Madam President, this morning we are going to be on the farm bill. There is going to be 50 minutes of debate equally divided and there will be a vote at approximately 10:20 this morning.

The majority leader has asked me to announce that he wants to work into the evening tonight to make significant progress on this bill. It is Wednesday. For those who want to leave Friday or this weekend, it is very clear to everyone we have to make progress on this bill. So I hope everyone will understand there will be no windows. We will have to work right through the evening, working as late as possible, as long as the managers think we are making progress on the bill.

RESERVATION OF LEADER TIME
The ACTING PRESIDENT pro tempore. Under the previous order, the leadership time is reserved.

AGRICULTURE, CONSERVATION, AND RURAL ENHANCEMENT ACT OF 2001.

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate will now resume consideration of S. 1731, which the clerk will report.

NOTICE
Effective January 1, 2002, the subscription price of the Congressional Record will be $422 per year or $211 for six months. Individual issues may be purchased for $5.00 per copy. The cost for the microfiche edition will remain $141 per year with single copies remaining $1.50 per issue. This price increase is necessary based upon the cost of printing and distribution.

Michael F. DiMario, Public Printer

*This “bullet” symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.
The legislative clerk read as follows: A bill (S. 1733) to strengthen the safety net for agricultural producers, to enhance resource conservation and rural development, to provide for farm credit, agricultural research, nutrition, and related programs, to ensure consumers abundant food and fiber, and for other purposes.

Pending:

Daschle (for Harkin) Amendment No. 2471, in the nature of a substitute.

Lugar Amendment No. 2473 (to Amendment No. 2471), of a perfecting nature.

AMENDMENT NO. 2473

The ACTING PRESIDENT pro temper.

Under the previous order, there will now be 50 minutes of debate equally divided and controlled on the Lugar amendment, No. 2473.

The Senator from Indiana.

Mr. LUGAR. Madam President, I yield to myself the time I may require.

Being mindful there are others who may wish to speak on my amendment but seeing none for the moment, let me review the amendment for the benefit of Senators who, perhaps, followed the debate yesterday.

I have offered an amendment which, in essence, changes substantially the way in which such farm families are supported in the United States of America. I have moved to a concept of a safety net in which, essentially, each farm family—regardless of the State, regardless of what products or farm animals or trees or what have you which comes from that farm—has equal standing. I think that amendment ought to be appealing to most States.

As I cited yesterday, just 6 States of the 50 receive about half of the payments under the current system. That would be concentrated further in the bill that now lies before us. That concentration really occurs regardless of State, although many States receive very few benefits at all. If, in fact, 6 States receive half, the 44 divide the rest and, as I cited yesterday, many States have fewer than 10 percent of their farm families who partici-

pate in these payments at all.

I make that point again because I suspect it is not apparent to many Sen-

ators, to many people in the public as a whole, who believe we are talking today about the totality of agriculture in our country, farm families of all sizes. Much is said about small farm families, those who are in stress, in danger of going out of business.

Without being disrespectful of any-

one’s views on these subjects, I pointed out these small family farms are not likely to gain much sustenance from the subsidies that are being suggested presently. Let me tell you what I mean by getting into anyone else’s backyard, the situa-

tion in the State of Indiana.

The current program targets 16 percent of the payments in Indiana to 1 percent of the farms—1,007 farms. In fact, it becomes equally apparent at the top 1 percent, which gets 26 percent, a quarter of all the farms. By the time you get to the top 10 percent, which now includes 10,000 farms out of roughly 100,000 that received payments from 1996 to 2000, the top 10 percent receive 66 percent of all the money.

Any way you look at it, the reasons for this are perfectly clear. Essentially, the payments are made on the basis of acreage and yield. Those farmers who are strong enough to make use of research; they make use of marketing techniques. They, in fact, have costs that are less than the floor, so there are incentives to produce more each time we come along with another farm bill. And that will be the case again. Therefore, the gist of my amendment is we must change.

The distinguished chairman of the committee, as he responded last evening, said the Lugar amendment contemplates so much change it will be shocking to country bankers; it will be shocking to farmers generally. When you knock the props out of all kinds of layers of programs that have been built up year after year, one subsidy on top of another, you touch 40 percent of farm families generally with 60 percent not touched at all, certainly there will be an impact on the 40 percent.

My point is the 40 percent overstates it. The real impact will be upon the 1’s, the 2’s, the very top numbers in terms of people who have very large enterprises. I think that is not the will of the Senate. But the effect of the poli-

cies has been this, as detailed State by State, and so by the 45 Farm Groups. Working the Group Web site. Any Senator, prior to a vote on this amendment, can go to that Web site and find out, person by person, every farm that has received subsidies during the last 5-year period that is covered, plus the summary I have cited.

The change I am suggesting is one that is still a generous amount of tax-
payer money. Yesterday Investor Daily editorialized about the debate we are having and commended my bill, as the best of the lot but suggested it is still a lot of money from some taxpayers in America to farmers. Indeed, it is to the extent that I am suggesting a farmer receive a voucher worth 6 percent of all that he or she produces on the farm and that it not be simply curtailed to wheat, corn, cotton, rice, and soybeans but to livestock, to fruits and vegetables, to wool, to whatever comes from that entity—all things added up on the Federal tax return that arrive at a total farm revenue picture.

I used the hypothetical farmer yes-
terday who received, say, $100,000 of total receipts from all sources getting a voucher for $6,000, enough to pay for a full farm insurance policy that guarantees 80 percent of the revenue based on the last 5 years.

There are very few businesses, if any, in America that could purchase this kind of revenue assurance that would guarantee—even the ups and downs of our economy—at least 80 percent of the revenue would be available come hell or high water, including bad weather, bad trade policies, and whatever. This $6,000 voucher would not be paid for by the farmer. It is by virtue of the production indicated on the tax returns that he or she submits. It is possible, because we already have a generous crop insurance program as I pointed out that undergirds agriculture now, that somehow there are shortfalls, which now includes 10,000 farms out of approximately 10,000 farms. In fact, it becomes equally apparent at the top 1 percent, which gets 26 percent, a quarter of all the farms. By the time you get to the top 10 percent, which now includes 10,000 farms out of 100,000, the top 10 percent receive 66 percent of all the money.

Any way you look at it, the reasons for this are perfectly clear. Essentially, the payments are made on the basis of acreage and yield. Those farmers who are strong enough to make use of research; they make use of marketing techniques. They, in fact, have costs that are less than the floor, so there are incentives to produce more each time we come along with another farm bill. And that will be the case again. Therefore, the gist of my amendment is we must change.

The distinguished chairman of the committee, as he responded last evening, said the Lugar amendment contemplates so much change it will be shocking to country bankers; it will be shocking to farmers generally. When you knock the props out of all kinds of layers of programs that have been built up year after year, one subsidy on top of another, you touch 40 percent of farm families generally with 60 percent not touched at all, certainly there will be an impact on the 40 percent.

My point is the 40 percent overstates it. The real impact will be upon the 1’s, the 2’s, the very top numbers in terms of people who have very large enterprises. I think that is not the will of the Senate. But the effect of the policies has been this, as detailed State by State, and so by the 45 Farm Groups. Working the Group Web site. Any Senator, prior to a vote on this amendment, can go to that Web site and find out, person by person, every farm that has received subsidies during the last 5-year period that is covered, plus the summary I have cited.

The change I am suggesting is one that is still a generous amount of tax-
payer money. Yesterday Investor Daily editorialized about the debate we are having and commended my bill, as the best of the lot but suggested it is still a lot of money from some taxpayers in America to farmers. Indeed, it is to the extent that I am suggesting a farmer receive a voucher worth 6 percent of all that he or she produces on the farm and that it not be simply curtailed to wheat, corn, cotton, rice, and soybeans but to livestock, to fruits and vegetables, to wool, to whatever comes from that entity—all things added up on the Federal tax return that arrive at a total farm revenue picture.

I used the hypothetical farmer yes-
terday who received, say, $100,000 of total receipts from all sources getting a voucher for $6,000, enough to pay for a full farm insurance policy that guarantees 80 percent of the revenue based on the last 5 years.

There are very few businesses, if any, in America that could purchase this kind of revenue assurance that would guarantee—even the ups and downs of our economy—at least 80 percent of the revenue would be available come hell or high water, including bad weather, bad trade policies, and whatever. This $6,000 voucher would not be paid for by the farmer. It is by virtue of the production indicated on the tax returns that he or she submits. It is possible, because we already have a generous crop insurance program as I pointed out that undergirds agriculture now, that somehow there are shortfalls, even though this year we are having a record net income for all of agriculture—$61 billion. It has never been higher.

Yet this debate proceeds as if the total-
ty of American agriculture were in crisis. The 10-year bill suggested by the House of Representatives suggests the crisis inevitably goes on for 10 years adding one subsidy on top of another throughout that period of time.

That is what my amendment tries to stop. I appreciate that for many Sen-

ators the problem of explaining all of this to their constituents may be dif-

cicult. The easier course may be simply to say: I did my best for you.

As I witnessed the debate thus far, I have an impression that many Sen-

ators have come into that mode as they approach the distinguished chair-

man of the committee, or me, or other Members who have been involved in the debate. The question is not that over-

layers of subsidies on top of subsidies is good for the country, good for farmers generally, good for whatever. The question is, what is in this bill for me, or my farmers, or the political support I can gain from the person to whom I can write that I was in there fighting for the last dollar for you.

I must admit that the bill which has been laid down before us by the Agri-
culture Committee has a lot of money in it. The disillusions will come when 60 percent of farmers will find there is nothing in the bill for them—nothing. I hope they understand that before we conclude the debate.

In my State of Indiana, two-thirds of the farmers will find out very rapidly that there was very little left for them after the top 10 percent took the money. That will cause disillusionment, perhaps. But hope springs eternal, per-

haps. A trickle-down theory might occur even in farm subsidy bills.

Let me point out that there is an op-

portunity here for both a safety net for the farm economy—at least 80 percent of the revenue would be available come hell or high water, including bad weather, bad trade policies, and whatever. This
less relevant to the actualities of farming in America today and what people actually do.

The 2 million farms that are listed by the census in most cases do not have active farmers on the farm. The most rapidly rising source of new farms in the country are persons who are professionals, doctors, lawyers, teachers, and others who purchase 50 acres, or sometimes more within a reasonable driving distance from urban offices, occupations, because they like some space. If they produce on that entity of 50 acres or 100 or whatever the acreage may be, at least $20,000 in sales of anything agricultural, they are classified under USDA standards as a farmer. So the 2 million are made up principally of persons who gain some income from the farm.

The only persons who gain the bulk of their income from the farm are commodities. Of them have 1,000 acres or more. They comprise roughly 10 percent to 15 percent of all of the entities. Even on those farms it is usual that one member of the family has a day job in the city or somewhere else.

That is the nature of the business. I mention this because, in an attempt to have a comprehensive farm bill, it is virtually impossible to target and to find what those commodities. I think my bill does this the best because it simply says whether you produce $20,000, and you are in fact a lawyer, you still qualify as a farm so that there is at least something more than a casual interest in the farm. You have $20,000 in sales of any sort, you are eligible for the 6 percent voucher.

My bill is not excessively generous as you rise in income because after the first $250,000 total revenue the voucher percentage drops to 2 percent. So to the next $250,000. After $500,000 to $1 million in revenue, it is 1 percent. Then sales on your farm over $1 million would not have the voucher. Thus, there is a limit effectively of about $30,000 for a farm family coming from this program.

The distribution to all farm families in America in all States means that the money that is finally provided in my bill is spread even over a 10-year stretch. We are talking about a 5-year bill. Because many of these bills have been scored for 10, it is still less than the bill before us. But the cost of my bill in the 5 years we are talking about is dramatically less in large part because, although a lot of money is going to all the farm families at the rate of 6 percent of everything they are doing, essentially we are winding up the targeted prices, the loans, and the other subsidies that we have now. Therefore, as you subtract those savings, OMB has scored this 5-year experience in the commodity section of the Lugar bill of only $5 billion as opposed to, as I recall, the $27 billion for 5 years in the bill before us now. That is substantial money.

Let me point out that in addition there are some important aspects in the second section of my bill. The distinguished chairman of the committee, as he responded yesterday, pointed out that the committee bill has much more generous provisions for the nutrition section. I applaud that. I worked with the chairman to make certain we had very strong targeted support for doing more in the food stamp area, in the WIC Program, in the School Lunch Program, and in the feeding of people wherever they may be in America.

But there is a difference between the two bills—most basically, is that my amendment before the Senate now—without some of the savings that come from this remarkable difference between $5 billion for commodities in my bill and $27 billion in Senator HARKIN’s bill. My bill provides $3.7 billion for nutrition in the first 5 years and the Harkin substitute $1.6 billion. That is a substantial difference.

Yesterday, I detailed the extraordinary efforts of hunger groups throughout the United States not only for the poor but for better nutrition, of people involved in the School Lunch Program who regularly testified before our committee, as well as those who have been advocates for all children. The Children’s Nutrition and School Lunch Program—my bill—to fulfill those objectives.

My bill allocates $3.7 billion in the next 5 years. If it were scored over 10 years, it would be up to $11.9 billion. The Harkin substitute has $1.6 billion in the next 5 years, scoring $5.2 billion in the 10-year period, with less than half the nutrition impact. That is not by chance.

For Senators who believe one of the major points of a farm bill that comes from Agriculture, Nutrition, and Forestry ought to be the feeding of all Americans, in addition to targeted benefits for very few Americans on the production side, I hope they will find my amendment appealing. It was meant to be that way. The priorities are significant.

For the moment, Madam President, I will yield the floor so I will have a few moments, perhaps, at the end of the debate to refresh memories of Senators who may not have heard all of this presentation today and may be preparing for their votes.

I yield the floor and suggest the adoption of the chairman’s substitute.

Mr. LUGAR. Madam President, I ask unanimous consent the order for the Lugar amendment before the Senate now—without some of the savings that come from this remarkable difference between $5 billion for commodities in my bill and $27 billion in Senator Harkin’s bill. My bill provides $3.7 billion for nutrition in the first 5 years and the Harkin substitute $1.6 billion. That is a substantial difference.

Yesterday, I detailed the extraordinary efforts of hunger groups throughout the United States not only for the poor but for better nutrition, of people involved in the School Lunch Program who regularly testified before our committee, as well as those who have been advocates for all children. The Children’s Nutrition and School Lunch Program—to fulfill those objectives.

My bill allocates $3.7 billion in the next 5 years. If it were scored over 10 years, it would be up to $11.9 billion. The Harkin substitute has $1.6 billion in the next 5 years, scoring $5.2 billion in the 10-year period, with less than half the nutrition impact. That is not by chance.

For Senators who believe one of the major points of a farm bill that comes from Agriculture, Nutrition, and Forestry ought to be the feeding of all Americans, in addition to targeted benefits for very few Americans on the production side, I hope they will find my amendment appealing. It was meant to be that way. The priorities are significant.

For the moment, Madam President, I will yield the floor so I will have a few moments, perhaps, at the end of the debate to refresh memories of Senators who may not have heard all of this presentation today and may be preparing for their votes.

I yield the floor and suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

Mr. LUGAR. Madam President, I ask unanimous consent the order for the quorum call to be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. HARKIN. Madam President, I ask unanimous consent the order for the quorum call to be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. HARKIN. Madam President, as I understand, again, for the benefit of all Senators, we are under an hour of debate before the final vote. The next amendment regarding nutrition with a vote to occur at 10:30; is that correct?

The ACTING PRESIDENT pro tempore. Under the previous order, there is to be a 50-minute debate equally divided with the vote to occur at 10:25.

Mr. HARKIN. I understand I must have about 25 minutes.

The ACTING PRESIDENT pro tempore. The Senator is correct.

Mr. HARKIN. I thank the Presiding Officer.

Madam President, now that we have had some opportunity over the evening to look at Senator LUGAR’s proposed nutrition title, I would like to discuss a little bit of the difference between his approach and the approach we came out of the committee with, again, keeping in mind that our nutrition title did come out of committee, if I might. I did want to correct one thing. I believe my colleague’s amendment would upset that balance greatly. And even though we might want to do more for nutrition, I believe we have met our responsibilities for nutrition in this bill to meet the nutritional needs of our people. I will go through that shortly.

I did want to correct one thing. I believe my colleague and friend said that one provision our spending over 5 years is $1.6 billion. Our data shows that our outlays for 5 years are $2.2 billion. I just wanted to make that correction. I think his is $3.7 billion and we are at $2.2 billion. I do know his outlays are more than ours; at least I believe his budget authority is $3.7 billion. I do not know what the outlays are for 5 years, and perhaps Senator LUGAR could enlighten us on that. But I just want to talk about some of the differences and some of the potential problems I see in the title proposed by Senator LUGAR.

I think we have all agreed that the outreach for the Food Stamp Program

Without objection, it is so ordered.

Mr. LUGAR. Madam President, I suggest the absence of a quorum.
Another key difference between what is in the committee-passed bill and Senator LUGAR’s proposal is that we include a substantial commodity purchase of $780 million over 5 years. At least $50 million of that will go to purchase fresh fruits and vegetables for the School Lunch Program. At least $40 million a year must be used to purchase commodities for the TEFAP Program—The Emergency Food Assistance Program. Again, Senator LUGAR’s proposal only provides $30 million for TEFAP commodities, not for the School Lunch Program. Again, if we are talking about low-income families on food stamps who need nutritional help, it is their kids who are in school who get the free meals—free or reduced-price meals; mostly free in this case. So we provide money in the bill to go out and buy apples and to buy oranges and to buy other fruits and other vegetables for the School Lunch Program to meet the free and reduced-price School Lunch Program needs of kids. That is not in the Lugar proposal. We provide $40 million for the TEFAP Program; Senator LUGAR provides $30 million, $10 million less.

We also included a pilot program. This may not seem significant, but I don’t think so. We included a pilot program to test in public schools in four States to see whether or not distributing free fruits and vegetables is beneficial and whether students would take advantage of it. The idea is, if a student is in a public school, rather than going to the vending machine and putting in their $1 or 75 cents or getting a candy bar or something like that—usually in the vending machine there is candy, and then down at the bottom there is usually an apple at the same price—the kid is not going to buy the apple.

Let’s say you provided in the school lunchroom free fruits and free oranges. Let’s say a student has a hunger pain. They can go to that vending machine and put in their $1 or 75 cents or they can go to the lunchroom and pick up a free apple. We provide for that pilot program in four States. That is not in the Lugar proposal. This would also be a proposal beneficial to our fruit and vegetable growers. Certain vegetables we are talking about—carrots, broccoli, whatever, celery, different things such as that—that kids could get free under this pilot program. It is not included in the Lugar proposal.

We also in our bill include a provision to strengthen nutrition education efforts in the Food Stamp Program. A lot of people in the Food Stamp Program use their food stamps and they buy Twinkies and potato chips and fattened kinds of food. It may not be very nutritious. We need more nutrition education in the Food Stamp Program. We include a provision to strengthen the nutrition program; I believe that is in the Lugar proposal.

There is one other point I want to make, and that is in terms of whether or not people who are in certain programs, who rely on certain programs for noncash assistance, such as the Temporary Assistance to Needy Families—if you are getting child care and things such as that, if you are in that category, basically we are saying you should be eligible for the Food Stamp Program. You should not have to go back and qualify for this, qualify for that, and go through all the redtape.

Senator LUGAR includes a provision that would have people who rely on this noncash assistance ineligible for the Food Stamp Program. Again, a lot of times, these people use the Food Stamp Program as a boost to help them get back on the road to self-sufficiency.

Last year we worked to give States the option of liberalizing the food stamp vehicle. A number of States still already did this. They have changed their policies on what kind of a car you can have. I wonder if it is going a bit far, as Senator LUGAR does, to require that all States exclude all vehicles from consideration in determining eligibility. I don’t think we should liberalize it. I think my State is way too low. When you have a State that says you can only have a car worth $3,500, these are the people who need transportation to go back and forth to work. That is the kind of car that breaks down all the time. These rules ought to be raised. Some States are much higher.

I stand to be corrected, but I think Utah, for example, is several thousand maybe more than that—higher in an automobile. It just makes sense to allow a person to have a decent car that doesn’t break down all the time.

Senator LUGAR says we will require all the States to exclude all vehicles, as I read their amendment. I could be corrected on that, but that is the way I read it. That is going a bit far. We ought to let the States rate the eligibility, but to require them to exclude all vehicles may be loosening it up too much.

The restoration of the immigrant benefits provision is very controversial to some people. We tried to take a targeted approach where benefits are restored to the most needy legal immigrants; that is, children, the disabled, refugees, asylum seekers. We say the kids who are of legal immigrants should not have to wait to get food stamps. Again, this is in line with our statement that if you are a child, you ought to get nutrition because it saves on health care. We know that children who receive nutrition learn better. They will be better students. As far as kids go, we are saying: If you are a child or a legal immigrant, you should get food stamps now.

As I read the Lugar amendment, he says they have to wait 5 years—all immigrants who have been in the United States for at least 5 years. Under the committee-passed bill, you wait 5 years to restore benefits to children. We do it immediately, not 5 years from today.
Again, there are some significant differences between what Senator Lugar is proposing and what we have done in the committee. It is true, I admit quite frankly, that Senator Lugar puts more money into nutrition than we do. That is true. But I still will say that in terms of the program that most needy people rely on to meet their nutritional needs—that is, the Food Stamp Program—the most critical part of that is outreach, information, and support to people who are not now applying either able to get into the Food Stamp Program. That is what we do. That doesn’t cost a lot of money. And if it does get people into the program, and they get food stamps, that is not counted. That is not counted on our ledger sheet.

I believe our bill actually will provide more nutritional support to people than the Lugar proposal, even though it doesn’t show up on the balance sheet as such.

The other part is simply the fact that where Senator Lugar is getting the money for this really does upset the balance we had in our commodity programs. I don’t think this is the time to demolish farm commodity programs in order to fund a wholly tested and proven voucher system as a total replacement. That is the other side of this amendment. Farm programs are not perfect. I will be the first to admit it. But we cannot abandon the safety net at a time when it is obviously inadequate already.

What this amendment does is weaken help for all program crops—dairy, sugar, peanuts, everything—and it replaces it with a voucher program whereby a farmer can go out with a voucher and get crop insurance and can get insurance, not just for destruction of crops but for lack of income. It has been untested. We don’t know if it would work.

This is something that probably ought to be done on a pilot program basis at some point, but not right now, a whole commodity program that we have structured. Quite frankly, I believe that on our committee we have a lot of expertise. We have Senators on both sides who have been involved in agriculture for a long time. We have former Governors on our committee. We have former Congressmen on our committee. We have people who have been on the agriculture committees of the House of Representatives, of the House of Representatives, and now in the Senate. We have people with a lot of expertise in agriculture on our committee.

These are not people who just sort of off the cuff decide to do something in agriculture. These are people, Senators, such as the present occupant of the Chair, who think very deeply about what is best for their people and what is best for the commodities in their State.

The Senators know their commodities and the programs. So we hammered out and worked out compromises and a commodity structured program that will benefit all of agriculture in America. Again, it may not be perfect. I daresay I haven’t seen a Government program yet that is perfect. But to throw it all out the window and to substitute this untested, untried voucher program when we have no idea how it would even work right now would cause chaos and disruption all over agricultural America.

On the nutrition side, I believe that our approach, the committee approach, the well-thought-out, responsible, reasonable; it gets to the kids who need nutrition; and it has a good outreach program to make sure people who are not on food stamps understand it. On the other hand, on the commodity side, I believe our commodity program is well structured, sound, responsible, evenhanded all over America, and it is built upon programs and ideas that we know work. We know direct payments work. We know loan rates work. We know that is an insurance program. These things out there have been tested and tried and they work. Now is not the time to pull the rug out from underneath our farmers for an untested program.

For both of those reasons—the commodity side and nutrition side—I respectfully oppose the Lugar amendment and urge all Senators to support the well-thought-out, responsible nutrition title that we brought out from the committee. It is good, solid, and it is something for which I think we can be proud.

With that, I yield the floor and reserve the remainder of my time.

The PRESIDING OFFICER (Mr. Mil- lar). The Senator from Indiana is recognized.

Mr. LUGAR. Mr. President, I respectfully say to my distinguished colleague that the only well-thought-out aspect of the bill before us are thoughts as to how we can be enabled by more money for particular crops for his or her State. It is a catchall bill. It really has no particular philosophy. One subsidy is piled on top of another.

That is my point. Somebody has to bring an end to this chaos. The chaos is not going to be joyous if continued as the Senator from Iowa pointed out. Sixty percent of farmers get nothing from this; they are not going to get a dime. I hope that understanding finally comes out with is received by more money for particular crops for his or her State. It is a catchall bill. It really has no particular philosophy. One subsidy is piled on top of another.

That is my point. Somebody has to bring an end to this chaos. The chaos is not going to be joyous if continued as the Senator from Iowa pointed out. Sixty percent of farmers get nothing from this; they are not going to get a dime. I hope that understanding finally comes out with is received by more money for particular crops for his or her State. It is a catchall bill. It really has no particular philosophy. One subsidy is piled on top of another.

That is my point. Somebody has to bring an end to this chaos. The chaos is not going to be joyous if continued as the Senator from Iowa pointed out. Sixty percent of farmers get nothing from this; they are not going to get a dime. I hope that understanding finally comes out with is received by more money for particular crops for his or her State. It is a catchall bill. It really has no particular philosophy. One subsidy is piled on top of another.

That is my point. Somebody has to bring an end to this chaos. The chaos is not going to be joyous if continued as the Senator from Iowa pointed out. Sixty percent of farmers get nothing from this; they are not going to get a dime. I hope that understanding finally comes out with is received by more money for particular crops for his or her State. It is a catchall bill. It really has no particular philosophy. One subsidy is piled on top of another.

That is my point. Somebody has to bring an end to this chaos. The chaos is not going to be joyous if continued as the Senator from Iowa pointed out. Sixty percent of farmers get nothing from this; they are not going to get a dime. I hope that understanding finally comes out with is received by more money for particular crops for his or her State. It is a catchall bill. It really has no particular philosophy. One subsidy is piled on top of another.

That is my point. Somebody has to bring an end to this chaos. The chaos is not going to be joyous if continued as the Senator from Iowa pointed out. Sixty percent of farmers get nothing from this; they are not going to get a dime. I hope that understanding finally comes out with is received by more money for particular crops for his or her State. It is a catchall bill. It really has no particular philosophy. One subsidy is piled on top of another.

That is my point. Somebody has to bring an end to this chaos. The chaos is not going to be joyous if continued as the Senator from Iowa pointed out. Sixty percent of farmers get nothing from this; they are not going to get a dime. I hope that understanding finally comes out with is received by more money for particular crops for his or her State. It is a catchall bill. It really has no particular philosophy. One subsidy is piled on top of another.
express my strong support for the nutrition provisions included in the underlying bill as introduced by Senator HARKIN.

I want to make it clear that while I appreciate Senator LUGAR’s investment in food stamps and nutrition programs, I do not agree with the Lugar provisions on the commodity title because it undermines a crucial safety net for our Nation’s farmers. These commodity assistance programs are vital to the competitiveness and survival of the U.S. farming base and the rural communities that depend on a healthy agricultural economy.

I applaud Senator LUGAR’s attention to the need to expand the Food Stamp Program in this difficult economic time. The Food Stamp Program is one of the most effective and efficient ways we directly help low-income families, and the elderly and disabled. The language in Senator HARKIN’s bill will make this important program more efficient and effective for those who rely on it most.

There is no doubt that the economy is weaker than it was at this time last year—or even this summer when we passed President Bush’s tax cuts. In fact, the Congressional Budget Office, CBO, announced on Monday that the country has a $63 billion deficit in the first 2 months of the new fiscal year. CBO’s report attributes most of the extra spending to increased Medicaid costs and unemployment benefit claims.

This does not surprise me, especially when one considers these indicators of the current state of Washington’s economy: Unemployment rose a half-point in October to reach 6.6 percent in the State—the highest rate in the Nation; new claims filed for unemployment insurance claims rose 33 percent over the same month last year; we now have the highest number of initial unemployment insurance claims since 1981; and unfortunately, one of our strongest and most stable employers—Boeing—has announced that 14,000 of its workers in Washington State are going to be out of a job by next summer. This news is absolutely devastating for my State—according to the Seattle Chamber of Commerce, for every Boeing job lost, the region loses another 1.7 jobs.

There is no doubt that our economy works best when people are working. But when people lose their jobs, they need help to manage their unemployment, train for new jobs, and make an easy transition to new careers. And this includes broad-based assistance to families, especially through the food stamp and other Federal nutrition programs. If families are hungry and not meeting their basic needs, they certainly cannot focus on the training they need to attain long-term stability and self-sufficiency.

I believe that strengthening the Food Stamp Program to assist low-wage workers and those recently out of work is a critical component of Congress’s response to the weakening economy. Unfortunately, as the economy deteriorates many working families are joining the lines at local food banks. Just this week, the Seattle Times reported on the food shortages in our area food banks and the fact that so many families are now seeking assistance from food banks for the first time ever.

In fact, food stamp participation in Washington State increased over the last 12 months by 8.2 percent. But I am particularly concerned about those who are eligible for food stamps but do not enroll in the program. Passed in 1996, welfare reform legislation, food stamp participation rate decreased 32.2 percent in Washington State. Sadly, the percentage of households with children facing food insecurity—those who do not know where their next meal is coming from—is higher in Washington State than across the rest of the country. And food insecurity among emergency food recipients—those who are in emergency kitchens and shelters—is nearly 50 percent higher in Washington than the rest of the country. And this is despite the fact that over 315,000 people in the State of Washington participate in the Food Stamp Program, and 153,000 people participate in the Women, Infants, and Children, WIC, Program.

I strongly support the nutrition provisions in the underlying bill. In order to address the need for food stamp and other Federal nutrition support, Senator HARKIN has increased mandatory food stamp spending by $6.2 billion over the next 10 years.

The Harkin Farm bill provides an extension for transitional food stamps for families moving from welfare to work; extension of benefits for adults without dependents; and increased funding for the employment and training program. The bill would allow households with children to set aside larger amounts of income before the food stamp benefits would begin to phase out. Importantly, the bill simplifies the program for State administrators and participating families. Specifically, it simplifies income and resource counting, calculation of expenses for deductions, and determination of ongoing eligibility in the program. Together, these improvements will help both States and recipients because they lower burdens and increase coordination with other programs, such as Medicare, TANF, and child care, that the States administer.

I am particularly pleased that the bill restores food stamp benefits for all legal immigrant children and persons with disabilities. According to Census data, 27 percent of children in poverty live in immigrant families, 21 percent are citizen children of immigrant parents, and 6 percent are immigrants themselves.

Unfortunately, many citizen children of legal immigrants who remain eligible for the Food Stamp Program are not participating. Many of their families are confused about food stamp eligibility rules, and in some cases, the child’s benefit is too small for the household to invest the effort to maintain eligibility. In fact, since 1994, over 1 million citizen children with immigrant parents have left the program due to this type of rule.

After the Federal Government eliminated food stamp benefits for legal immigrants Washington State was the first State to put its own funds toward restoring food stamp eligibility for legal immigrants. The most recent Food Assistance Program uses State funds to support legal immigrants who were disqualified as a result of the 1996 welfare reform law. In fact, 11 percent of all food assistance clients in WA State are legal immigrants. This bill restores the Federal commitment to ensuring that legal immigrants have access to these important Federal programs.

When we passed President Bush’s tax cut, I said that I believed the country was confronting a critical juncture for our fiscal priorities—deciding between maintaining our fiscal discipline and investing in the Nation’s future education and health care needs, or cutting the very services used daily by our citizens. That statement is even more relevant today. Passing the food stamp expansions included in the Harkin Farm bill gives working families struggling to make ends meet the security they need in these uncertain times.

The PRESIDING OFFICER. Who yields time? If no one yields time, time is charged equally to both sides.

Mr. LUGAR. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerks will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. LUGAR. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

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

Mr. LUGAR. Mr. President, my understanding is that I have a minute and a half, which is declining as time goes by equally charged to both sides. So as opposed to seeing all of that decline, let me say I am most hopeful we are going to have a strong vote for the Lugar amendment because I believe it is a good amendment for all Americans.

I stress that because sometimes in our zeal in these agricultural debates we are doing the very best we can for those in agricultural America, and that may be in many of our States as much as 2 percent of the population. But the rest of America also listens to this debate and wonders why there should be, as in the underlying bill, a transfer of $172 billion over the next 10 years from some Americans to a very few Americans—particularly, if 60 percent of the farmers don’t participate at all and if those food stamps go to very large farms. Most Americans, when confronted with that proposition, don’t like it.
I am preaching today, I suppose, to the choir of all Americans and hoping that agricultural America also understands that if we are ever to have higher prices and market solutions on farms, we must get rid of the subsidies that are under the underlying bill. And I do that. At the same time, I provide assurance and a safety net which I believe is equitable to all farmers and likewise to all Americans who look into this and find at least some hope for farm legislation as we discuss the Lugar amendment. I ask for the support of my colleagues. I yield the floor.

The PRESIDING OFFICER. The Senator from Iowa.

Mr. HARKIN. Mr. President, how much time do I have remaining?

The PRESIDING OFFICER. Six minutes.

Mr. HARKIN. Mr. President, the Senator from Indiana just mentioned in rebuttal to my remarks about how not all farm benefits can continue under this farm program. He is right. I believe the committee bill begins to change that somewhat. We include a conservation title in our bill that was supported unanimously by the committee that will begin to direct some funds toward farmers who have not been included in our farm programs in the past—our vegetable farmers, organic farmers, fruits, minor crops. Now they will be able to get benefits from farm programs if they practice responsible stewardship of the land, protect the soil, and protect the water.

Quite frankly, I believe this is going to be one of the best provisions for other areas of the country that have not participated before in our farm programs. That is in the committee bill. I know Senator LUGAR’s amendment does not touch that, but I understand there is going to be an amendment offered by Senators Cochran and Roberts that will take that away.

I hope those who believe that we have to expand our reach and include more farmers in our farm programs will oppose that amendment because this is the one element that will go out to help those smaller farmers and the farmers who have not been in the major crops before.

We also have an energy title. That energy title is new in this bill. Again, the Lugar amendment does not touch that. I understand that. I am not talking about alcohol. The Cochran-Roberts amendment will basically defund all that. That is another provision that can help a lot of our smaller farmers and others who have not been included in farm programs in the past.

I wanted to make the point we have taken strides to reach out in this bill to get farm program benefits to all regions of America.

Senator LUGAR also spoke about low prices and overproduction. The answer to low farm prices is not to idle half of America and to put all these farms out of business. That certainly should not be our answer. If you like imported oil, you will love imported food. That seems to be the answer. We will just shut down all the farms in America and buy our food from overseas. Good luck when that starts happening.

We need agriculture. We need food security for our own Nation. We need to find new markets, new outlets for the great productivity, the great production capacity of American agriculture. That is what we need—new markets.

Conservation is a marker. I believe energy title is a new marker. Whatever we can make from a barrel of oil we can make from a bushel of soybeans or a bushel of corn or a bushel of wheat. Biomas energy, plastics, biodiesel, ethanol—I think of the possibilities—pharmaceuticals. There are all kinds of items that come from our crops that we have not even tried. I believe that is what this bill also starts to do: find those new markets, new outlets for those farmers who have not been in the market. If we are ever to have high productivity of America in agriculture, the answer is not just to shut down half of America. That is not the answer at all. Think what that is going to do to our small towns, our rural communities, our families if we do that.

We have to keep the production going. We have to find new markets, and that is what we start to do in this bill.

I believe also we have met all of the objectives of the nutrition community. We met with them. They testified before our committee on more than one occasion. Quite frankly, we met basically their objectives.

I also point out when Senator LUGAR says he provides more money for food stamps, maybe yes, maybe no. Really what the Lugar amendment does is it increases the standard deduction a little bit. There are some additional provisions for able-bodied adults without dependents, but most of the money that is in the Lugar amendment is in simplifying rules, in simplifying programs. We include some of those in ours, but he goes a little bit further.

I still believe the most important thing we can do is to provide the underpinning of nutrition, as we did in the committee bill, and then do more outreach to make sure people are eligible for food stamps know they can get them and make it easier for them to apply for food stamps. We do that in our bill. That outreach, quite frankly, is not in the Lugar amendment.

I think it is arguable whether the Senator provides more food than we do. I believe I can make the case we actually would provide more food because we do more outreach and get more people involved in the Food Stamp Program. We provide better commodity purchases for our school lunch program, and I did get the finish for the expeditiously. The House passed their bill, and we need to pass ours and go to conference.

We can finish this bill today. I see no reason we can’t finish it today if we have some healthy debate on a couple of amendments. I know Senators Cochran and Roberts have an amendment they want to offer, which is a major amendment. We could debate that today and have a vote on that.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second. The question is on agreeing to the motion. The clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. HARKIN. I move to reconsider the vote.

Mr. HARKIN. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

The PRESIDING OFFICER. The Senator from Iowa.

Mr. HARKIN. Mr. President, we are making progress on the farm bill. We have a couple of big amendments that were very thoroughly debated and voted on. We are ready to move ahead with other amendments. We are ready to move on. If other Senators have amendments, we are open for business. We hope people will come forward. We have maybe some reasonable time limits. On the Lugar amendment we had a decent time limit. We debated it thoroughly.

It is vitally important that we finish this farm bill and that we do it expeditiously. I do not know exactly when we are going to go home for Christmas. This farm bill needs to be finished. We need to finish it expeditiously. The House passed their bill, and we need to pass ours and go to conference.

We can finish this bill today. I see no reason we can’t finish it today if we have some healthy debate on a couple of amendments. I know Senators Cochran and Roberts have an amendment they want to offer, which is a major amendment. We could debate that today and have a vote on that.
today. There are perhaps other amendments. I have not seen any, but I have heard about some. I think we could move through this bill today and get this finished and go to conference. I urge all Senators who have amendments to the floor to get them to the conference. They have basically looked to some point today to attempt to get a list of those who have amendments who wish to offer them on this legislation.

Mr. HARKIN. I think the Senator has made a good suggestion and a good inquiry. I hope that at sometime today, with the leaders of both sides, we can have a finite list of amendments, that we can agree on those, and move ahead, because if we do not, we will just be here day after day after day, and, as the Senator well knows from his experience here, this could go on indefinitely.

So we do need to get a finite list. I hope we can get that done, I say to my friend.

Mr. DORGAN. If the Senator will yield further, I know it is certainly the goal of the Senator from Iowa to get the bill through the Senate, have a conference, and then get it on the President’s desk for signature before we conclude this session of Congress. While I know that is ambitious, it certainly is achievable. I think we have the opportunity to finish this bill today or tomorrow. I know the chairman of the House Agriculture Committee is very anxious to go to conference.

Is the Senator aware that the chairman of the House committee has indicated he is very anxious to begin a conference, which suggests if we can get it completed through the Senate, and get it to the conference, we will be able to perhaps get it out of conference and on to the White House?

Mr. HARKIN. I say to my friend from North Dakota, I think it is definitely possible we can get this done. I know that Congressman COMBEST and Congressman STENHOLM, the two leaders of the Senate Agriculture Committee, on the House side, are anxious to get to conference. They have basically looked over what we have here, and we have looked over what they have in their bill. Really, I do not think the conference would take that long. But we just have to get it out of the Senate.

Mr. DORGAN. One final question, if I might. I suspect the Senator from Iowa has been asked a dozen times now, before 11 o’clock, when we are going to finish this session of Congress. I am asking all around to finish this bill. I think everyone around here kind of wants to know when this session of Congress might end.

That makes it all the more urgent we finish our work on this bill because this bill, the stimulus, Defense appropriations, and a couple of others need to be completed. I appreciate the work of the Senator from Iowa and the Senator from Indiana. And I know the Senator from Mississippi is going to have an amendment.

I really hope we can have a good debate on important farm policy and then proceed along and see if we can get this bill into conference in the next 34, 48 hours. I appreciate the work of the Senator from Iowa and the Senator from Indiana.

Mr. HARKIN. I thank the Senator from North Dakota.

Seeing the Senator from Minnesota, who wants to speak, I yield the floor.

The PRESIDING OFFICER (Mr. FEINGOLD). The Senator from Minnesota.

Mr. BYRD. Will the Senator yield?

Mr. DAYTON. Sure.

The PRESIDING OFFICER. The Senator from West Virginia.

Mr. BYRD. Mr. President, while the leader is on the floor and while Mr. BAUCUS is on the floor, will the Senator yield to me for 5 minutes?

Mr. BAUCUS. Yes.

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

**FAST TRACK**

Mr. BYRD. Has the Finance Committee reported out the fast track?

Mr. BAUCUS. No.

Mr. BYRD. Is it going to today?

Mr. BAUCUS. Yes.

Mr. BYRD. When?

Mr. BAUCUS. In about an hour.

Mr. BYRD. Does the committee have permission to meet?

Mr. BAUCUS. I don’t know.

Mr. HARKIN. No.

Mr. BYRD. Parliamentary inquiry, Mr. President.

The PRESIDING OFFICER. The Senator from West Virginia.

Mr. BYRD. Mr. President, for the information of the Senate, what is the rule with respect to the meeting of committees during the operation of the Senate while the Senate is in session? The PRESIDING OFFICER. When the Senate is in session, the committees may meet for 2 hours, but not beyond that, and not beyond 2 p.m. The PRESIDING OFFICER. As of today, when would that time expire?

Mr. BYRD. At 11:30.

The PRESIDING OFFICER. At 11:30 a.m.

The PRESIDING OFFICER. At 11:30 a.m.

Mr. BYRD. So the committee may not meet after 11:30 without the permission of the Senate?

The PRESIDING OFFICER. The Senator is correct.

Mr. BYRD. I put the Senate on notice I will object to that committee meeting after 11:30 today while the Senate is in session.

Mr. President, along that line, may I say I have asked the chairman of the Finance Committee to give some of those of us who are opposed to fast track an opportunity to appear before the committee. I am not on the Finance Committee. I would like to have an opportunity to appear before that committee and speak against fast track. That is all I am saying.

I made that personal request of the chairman of the committee yesterday, and he said: Well, I could appear before the committee after it had acted on fast track, after it had marked up the bill.

Well, there is no point in my appearing before the committee after it has marked up the bill. That is a really silly suggestion, if I might say so: I will make my impassioned plea to the committee after the committee has met and marked up the bill. Why should I go appear before the committee after that committee has marked up the bill? What a silly proposition.

Mr. President, there are those of us—there are a few around here—who object to fast track. And I am sorry the distinguished chairman of that committee said no.

Now, Mr. President, as chairman of the Appropriations Committee, I don’t think I would say that to any Senator. I would not say it to a Republican Senator; I would not say it to a Democratic Senator.

The very idea, on a matter as important as fast track to discuss around here—I am just disappointed a Senator would get that kind of a brushoff.

Now, understand, I went to the distinguished chairman yesterday and asked him if he would mind putting that matter off and allow some of us—or a few of us; I know one Senator who is against fast track—to allow us to appear before the committee. And I got kind of a brushoff, I would say. Well, all I could say was I was disappointed. I am still disappointed.

Let me read a section of the Constitution to Senators. Section 7 of Article I, paragraph 1:

All Bills for raising Revenue shall originate in the House of Representatives; but—

Get this—

Mr. President, may we have order in the rear of the Senate?

The PRESIDING OFFICER. The Senate will come to order, please.

Mr. BYRD. So I come to the conjuction “but”—paragraph 1, section 7, Article I, of the U.S. Constitution. Here is what it says:

but the Senate may propose or concur with Amendments as on other Bills.

Now, we all know that when fast track is brought to the Senate, Senators may not propose amendments. In my way of reading the Constitution, that is not in accordance with what the Constitution says. What did the Framers mean? It is obvious that they meant the Senate could amend on any bill. Let me read the whole section again, the whole paragraph, section 7.
All Bills for raising Revenue shall originate in the House of Representatives; but—\textit{B-U-T—} the Senate may propose or concur with Amendments as on other Bills.

It doesn’t say it “shall.” The Senate may not want to offer any amendments at all.

But now we come along with this so-called trade promotion authority. Ha, what a misnomer that is. And that is plain old fast track. And a lot of Senators and House Members are going to go to their oblivion on fast track if they put their heads back ever wake up to what is going on.

... but the Senate may propose or concur with Amendments as on other Bills.

It doesn’t say “on some other Bills” or “on certain other Bills.” It says “as on other Bills.”

It seems to me the Senate has a right to amend. And I know there are some of us who sought to appear before the Supreme Court on the subject of the line-item veto, and the Supreme Court ruled that bill unconstitutional.

I wonder what the Supreme Court would say about fast track, especially in light of this constitutional provision. I am here to raise that question. If the committee can complete its business before 11:30, that will be in accordance with the rules. But if it doesn’t, I hope somebody on that committee will make the point that the committee does not have permission to meet. I would object to any request made for that.

I thank the distinguished Senator for yielding.

The PRESIDING OFFICER. The Senator from Minnesota.

Mr. DAYTON. I thank the distinguished Senator from West Virginia for raising a very important issue at this time. I ask unanimous consent that I may be permitted to speak for up to 15 minutes as in morning business.

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

Mr. BIDEN. Will the Senator yield briefly for a unanimous consent request?

Mr. DAYTON. I will yield while retaining my right to the floor.

Mr. BIDEN. I ask unanimous consent that at the cessation of the Senator's 15 minutes I be recognized to proceed for up to 15 minutes as in morning business, unless the managers of the bill have some business relating to the bill.

The PRESIDING OFFICER. Is there objection?

Mr. REID. Mr. President, we should give the Republicans, if they wish, 15 minutes in morning business following the Senator from Delaware.

The PRESIDING OFFICER. Is there objection to the request as amended by the Senator from Nevada?

Without objection, it is so ordered.

The Senator from Minnesota.

ECONOMIC STIMULUS

Mr. DAYTON. Mr. President, much has been said during the last weeks, regarding the negotiations between the Senate and the House over economic stimulus legislation. Most recently, the rhetoric of House Republican leaders and even a couple of our Senate colleagues has become heated and even vitriolic. Some of their comments about our majority leader would be expected from a bunch of adolescents in a junior high school locker-room. They reflect much more on those who utter them than on the person about whom they are intended.

The House Republican leadership also seems unduly preoccupied with the process our Senate Democratic Caucus reportedly might use to consider this payment of $2.3 billion to the Senate. I really don’t see how that is any of their concern. What they should be concerned about, instead, is how their proposals will affect our national economy and the citizens of our country.

If people are wondering why we Senate Democrats are being so resolute, they should look at what the House Republicans are trying to foist upon us. Remember that their package was called “show business” by the Secretary of the Treasury. And that the nicest thing that can be said about it is that it is a huge bundle of holiday goodies to the people who need them the very least: the wealthiest Americans and the largest corporations.

Much of the House bill has nothing to do with providing an economic stimulus. Rather, it is a massive giveaway of taxpayer dollars. Take their proposal to repeal the corporate alternative minimum tax. That is a provision which requires profitable businesses, with numerous deductions, to pay a minimum amount of corporate taxes. Without it, they would pay little or even nothing.

But the House Republicans did not only repeal this tax, they also made it permanent to 1985, and they would immediately refund all the money companies paid under this provision during the last 15 years. Because these rate reductions go exclusively to upper-bracket taxpayers, the Center on Budget and Policy Priorities estimates that 55 percent of the tax relief would go to the top one percent of households. That is not stimulus policy! Those policies already spending, at high levels, tend to save more new money than they spend. It is also disastrous fiscal policy, because three-quarters of the tax cuts would take place after 2002, making Washington’s long-term budget outlook even worse than it is today.

The Senate Republicans’ proposal, which is also the President’s proposal, would give $500,000 to households making $5 million a year. And that figure illustrates another unwise feature of their plan. It’s not just a one-time, economic stimulus, it gives continuing tax reductions to the wealthiest Americans, even after an economic recovery is underway.

The Republicans’ insistence on these egregious proposals is why we don’t have an economic stimulus bill today. I want to thank—and I believe the American people will thank—our Majority Leader, Senator Baucus and Senator Rockefeller, for standing strongly against these giveaways, and for insisting on a bill that will provide a real, immediate economic stimulus. Our Democratic stimulus bill will direct money to working Americans, to people who have lost their jobs during this recession, and to businesses specifically for reinvestments in our economic recovery.

As the negotiations continue, I am hopeful that leaders in both Houses, from both parties, will retain those principles.
I am approaching the end of my first year of service in the U.S. Senate. I remain extraordinarily grateful to the people of Minnesota for giving me this opportunity. It has been a remarkable year for me, and for all of us. I have developed an enormous respect for the Senate, its traditions, its institutions, and for many of its Members.

Yet, this economic stimulus debate reminds me of what I most disliked about Washington before I arrived here. It is a story I have seen too much of while I have been here. It is the national interest being subverted by special interests; subverted by the special interests of the most affluent people and the most powerful corporations in America, by the individuals and institutions who already have the most and want more and more and more.

When I arrived here a year ago, we were looking at optimistic forecasts of Federal budget surpluses totaling trillions of dollars during the coming decade. A momentous opportunity. I thought we all would have put this money to work for America by improving our Nation’s schools, highways, sewer and water systems, and other infrastructure.

What an opportunity for all of us to work together and fulfill a 25-year-broken promise that the Federal government would pay for 40 percent of the costs of special education in schools throughout this country. What a tremendous opportunity in which we could all share: provide better educational lifetimes to thousands of children with disabilities; allow school boards and educators to restore funding for regular school programs and services, so that all students would receive better educations; and reduce the local property tax burdens of taxpayers to make up for this broken Federal promise.

I thought another of our top priorities should be a prescription drug program, to help our nation’s senior citizens and people with severe disabilities afford the rising costs of their prescription medicines. During my campaign last year, I listened to so many heart-breaking stories of suffering and despair by elderly men and women—the most vulnerable, aged, and impoverished among us. They are good people, who have worked hard and been upstanding citizens throughout their lives. Their retirement years are now being ravaged by the effects of these escalating drug prices on their fixed and limited incomes. Many seniors have cried as they told me their stories. Some have even told me they prayed to die rather than to continue to live in such desperation.

The budget resolution we passed last spring provided $300 billion to fund a prescription drug program to help relieve these terrible financial burdens and to lift these good and deserving people out of their black despair. Yet, not one piece of legislation to accomplish this purpose has made it to this Senate floor this year. Not one.

Now, we’re told, these anticipated Federal budget surpluses have disappeared. There won’t be enough money to fully fund special education. There won’t be enough money for a prescription drug program.

Yet, there was enough money last spring to fund a $1.3 trillion tax cut—40 percent of whose benefits will go to the wealthiest one percent of Americans. Not enough for schoolchildren and the elderly. Over $5 billion to millionaires and billionaires.

And now they are at it again. Those in Congress who championed last spring’s huge tax giveaway are proposing another one under the guise of an economic stimulus. And at the very same time, House Republicans on the Education Conference Committee have rejected the Senate’s proposal to increase funding for special education to its promised 40 percent.

They claim the IDEA program must first be reformed. Yet, a few weeks ago in the House, they passed an energy bill, giving over $30 billion in additional tax breaks to energy companies and utilities. They didn’t require any reform from them. The administration hadn’t even requested these tax breaks—but the House Republicans just gave them to the big energy companies and utilities anyway.

There always seems to be enough money around here for the rich and the powerful, be they people, corporations, or other special interests. But there’s no money for special education funding for children or for prescription drug coverage for seniors.

It’s very hard for me to understand how 535 Members of Congress, who were elected to represent the best interests of all the American people, could have produced this result. It’s very hard for me to explain to the schoolchildren, parents, educators, and senior citizens I see back in Minnesota. And it’s, thus, very, very hard for me to witness yet more of the same going into this so-called economic stimulus legislation.

We shouldn’t have an economic stimulus package. It would benefit our country. But we would better do nothing than to pass another shameful example of greed and avarice once again.

I yield the floor.

Mr. BIDEN. Mr. President, parliamentary inquiry: Am I able to proceed for 15 minutes as in morning business?

The PRESIDING OFFICER. Under the previous unanimous consent, the Senator may proceed for 15 minutes.

DEFATING AND PREVENTING TERRORISM TAKES MORE THAN MISSILE DEFENSE

Mr. BIDEN. Mr. President, I rise this morning to speak to a decision that I am told and have read is about to be made by the President—a very significant decision and, I think, an incredibly dangerous one—to serve notice that the United States of America is going to withdraw from the ABM Treaty.

Under the treaty, as you know, a President is able to give notice 6 months in advance of the intention to withdraw.

Mr. President, we live in tumultuous times. The transition from the old cold war alignments to new patterns of conflict and cooperation is picking up speed. This transition is not quiet, but noisy and violent. For 3 months now, it has been propelled by a new war.

In the modern world, high technology and rapid communications and transportation put our country and our own people on the front lines of that war. We are on the cutting edge of revolutionary developments in everything from medicine to military affairs.

We are also on the receiving end of everything from anthrax to the attacks of September 11—and we will remain vulnerable in the years to come. The question is: how vulnerable?

How shall we deal with this accelerated and violent transition? How well is the Administration dealing with it?

And is their primary answer—drawing from ABM and building a star wars system—at all responsive to our vulnerabilities?

We can find some answers in both the experience of the last 3 months and the President’s speech yesterday at the Citadel.

Wars are chaotic events, but they impose a discipline upon us.

We must focus on the highest-priority challenges.

We must use our resources wisely, rather than trying to satisfy every whim.

We must seek out and work with allies, rather than pretending that we can be utterly self-reliant.

How well have we done? In the short run, very well indeed.

Our people and institutions rose to the occasion on September 11 and in the weeks that followed.

We took care, and continue to take care, of our victims and their families. We resolved to rebuild.

We brought force to bear in Afghanistan, and used diplomacy in neighboring states and among local factions, to prevail.

We have also gained vital support from countries around the world, although we have been slow to involve them on the ground. We have shared intelligence and gained important law enforcement actions in Europe in the Middle East, and in Asia.

We have begun to take action to combat bioterrorism. At home, we have learned some lessons the hard way and we have accepted the need to do more. We are stepping up vaccine production. But we have yet to take the major actions that are needed to improve our public health capabilities at home—or our disease surveillance capabilities overseas, to give us advance notice of epidemics or potential biological weapons.

Neither have we moved decisively to find new, useful careers for the thousands of biological warfare specialists
in Russia who might otherwise sell their goods their technology or their capabilities to Iran or Iraq, to Libya, or to well-funded terrorists.

This is no longer a matter for just those of us who have intelligence briefings, but everyone has known this for a long time. Now the world knows that rogue states and terrorists have, in fact, attempted to buy nuclear weapons, biological weapons, and chemical weapons.

The President recognizes the problem of bioterrorism, and listed it in his speech yesterday. At the Crawford summit, President Putin and he promised more cooperation to combat bioterrorism. So far, however, there has been a great deal more talk than action. Al-Qaida’s eager quest for weapons of mass destruction has, in my view, highlighted and brought home to every American the importance of non-proliferation, of closing down the candy store, so to speak, where all these weapons might go to shop.

The President understands this. In his speech yesterday, after talking about the need to modernize our military, he said:

"America’s next priority to prevent mass terror is to protect against proliferation of weapons of mass destruction and the means to deliver them. Working with other countries, we will strengthen nonproliferation treaties and toughen export controls. Together we must keep the world’s most dangerous technology out of the hands of the world’s most dangerous people.

That is correct and well-phrased rhetoric. It gives nonproliferation a high priority. It recognizes the importance of international treaties. But where, Mr. President, are the actions to match that rhetoric? The President offers only a new effort “to develop a comprehensive strategy on proliferation,” something he has been promising for over a year.

Meanwhile, just last week, the United States of America single-handedly brought to an abrupt and confusing halt the Biological Weapons Convention Review Conference that is held every 5 years. Why? Because the administration was determined not to allow any forum for the negotiation of an agreement to strengthen that convention.

This was diplomacy as provocation, in my view, and it was and is a self-defeating and undermined our efforts to achieve agreement on proposals we made earlier in the conference, such as to address the need for countries to enact legislation making Biological Weapons Convention violations a crime. We asked that it be made a crime to violate the convention. We proposed that, but then we shut down the conference, killing even our own proposal, because we did not want any further discussion or a possible new agreement.

The President may understand the need to work with other countries, but some people under his authority do not seem to get it. For that matter, where are the actions to promote non-proliferation across the board?

The White House review of our programs in the former Soviet Union has been limping along for over 10 months. But when the fiscal year 2002 budget was presented, the funds for Nunn-Lugar were being reduced. Those are the funds we use to send American personnel to Russia to dismantle their nuclear weapons delivery systems their strategic bombers and missiles.

We were told that the cut was not permanent, that the reason was they were reviewing whether or not the money was being well spent. While they are reviewing, those nuclear-tipped missiles sit there, and the inability of the Russians to dismantle them because of lack of money or capability still exists. Thus, we got promises of new efforts, but in the fiscal year 2002 budget there is actually a cut in these programs. The Department of Defense spent approximately $40 million to see if the appropriators of Congress would try to cut the Nunn-Lugar program just to get the Pentagon’s attention.

Nonproliferation is, thus, our No. 2 priority, but the engine is still in first gear for an effort proposed as a top priority: modernizing our military. The vaunted rethinking process in the Defense Department has yet to produce much that is new, and the fine performance of our forces in Afghanistan has not been followed by development in the Gulf War and the “revolution in military affairs” of the last decade than it does to anything new this year.

If you want action with your rhetoric, go down to the No. 3 priority in the President’s speech: missile defense. Even there, however, the action is more diplomatic, or rather undiplomatic. If news reports are correct—and I know they are, based on my conversation today with the Secretary of State—the President will shortly announce his intention to withdraw in 6 months’ time from the Anti-Ballistic Missile Treaty of 1972.

Russia will not like that. Some here will say: So what? What does it matter what Russia likes or does not like? But none of our allies likes it either. And China, I predict, will respond with an arms buildup, increasing tensions in South Asia, causing India and Pakistan to reconsider the use of nuclear weapons. We have already given them the nuclear capability and, as strong as it sounds, in the near term—meaning in the next several years—this will cause the Japanese to begin a debate about whether or not they should be a nuclear power in an increasingly dangerous neighborhood. All of that is against our national interest.

But the President will invoke Article XV of the ABM Treaty, which allows a party to withdraw “if it decides that extraordinary events related to the subject matter of this Treaty have jeopardized its supreme interest.” In my view, invoking this clause is a bit of a stretch, to say the least. No new enemy has fielded an ICBM missile, which is the only missile our national missile defense is intended to stop. Tactical missile defense is not barred by the ABM Treaty, and Russia has said it would even amend the treaty to permit an expanded United States testing regime. So what is the jeopardy to our supreme interest?

The administration has said it wants to conduct tests that would breach the ABM Treaty, but the head of the Ballistic Missile Defense Organization in the Pentagon told Congress earlier this year that no breach was needed to do all the tests that were needed and scheduled.

Informed scientists say the features added to the test program that might breach the treaty, which the Defense Department presented to the Armed Services Committee several months ago, are far from necessary, especially at this time. Phil Coyle, the former chief of testing for the Pentagon, says tests such as this are needed to conduct several years of testing without having to breach the treaty’s terms.

The administration wants to build an Alaska test bed with several missile silos at Port Greely that it says could be used for an emergency deployment. But the new interceptor missile for the missile defense will not be ready yet. The so-called “kill vehicle,” the thing that separates from the interceptor missile and hits the incoming warhead, will not have been tested against realistic targets yet. And the radars supporting this system, the battle management capabilities, are pointed at Russia, so they will not even see a North Korean missile as it flies into southern California, following the scenario cited by those who try to justify building a limited missile defense system.

So where is the real action on missile defense? Is the announcement of our intent to withdraw from the ABM Treaty a real action, or is it a White House Christmas present for the right wing, who dislike arms control under any circumstances and see this season of success in Afghanistan, unity on foreign policy, and Christmas as a propitious moment to make this announcement?

Is now the time for unilateral moves—now, while we are still building coalitions for a changed world in which we can and should reduce their nuclear capabilities, and as strong as it sounds, in the near term—meaning in the next several years—this will cause the Japanese to begin a debate about whether or not they should be a nuclear power in an increasingly dangerous neighborhood. All of that is against our national interest.

We are in a time of great risk. But there is also great opportunity. Despite the horrors visited upon us on September 11, the truth is we were attacked by the weakest of enemies. Al-Qaida is a group that no civilized state can tolerate. It was sheltered by a regime with almost no international legitimacy and little support, even in its homeland. Its goals were so extreme as to be an object lesson to the world on why we must oppose all international terrorism. Many of its
members and supporters, lacking in Afghanistan the popular support that in other wars have enabled guerrillas to blend into the landscape, were left to fight an armed conflict in which our side could readily prevail, as we have done.

Meanwhile, the vast majority of countries, including some longtime adversaries, have lined up on our side. Their cooperation has been and will remain important in our war effort, in the war against terrorism. The war has also helped to tilt that have been shut for many years. Opportunities have expanded for cooperation on issues of mutual concern. As the President said yesterday at the Citadel:

All at once, a new threat to civilization is erasing old lines of rivalry and resentment between nations. Russia and America are building a new cooperative relationship.

We must seize the opportunity that this war has afforded us. Clausewitz long ago explained that triumph in war lies in winning victories, but in following up on your victories. The same is true in the broader arena of international politics. We must follow up on the cooperation of the moment and turn it into a realignment of forces that will come—so that our grandchildren and great-grandchildren can look back on the 21st century and say that it did not replicate the carnage of the 20th century.

How many Presidents get that opportunity? How many times does a nation have that potential?

Withdrawal from the ABM Treaty will not make nonproliferation, which should be our highest priority and which combats our clearest danger, any easier to achieve. I find that especially worrisome. A year ago we were on the verge of a deal with North Korea to end that country’s long-range ballistic missile program and its sales of missiles and missile technology. Now we are far away from such a deal, pursuing instead a missile defense that will be lucky to defend against a first-generation attack, let alone one with simple countermeasures, until the year 2010 or much later. What good will a missile defense in Alaska do, if North Korea threatens Japan or sells to countries, including some longtime adversaries, that have nuclear weapons?

We must corral the fissile material and nuclear material in Russia as well as their chemical weapons. The Bunker-Cutter report laid out clearly for us a specific program that would cost $30 billion over the next 8 to 10 years, to shut down one department—the nuclear department—of the candy store that everything should. Senator Lugar actually went to a facility with the Russian military that housed chemical weapons. He describes it as a clapboard building with windows and a padlock on the door, although its security has been improved with our help. Those shells could help Russia to engage in surreptitiously.

How does withdrawal from the ABM Treaty defend against any of that? Which is more likely—an ICBM attack from a nation that does not now possess the capability, with a return address on it, knowing that certain annihilation would follow if one engaged in the attack; or the proliferation of weapons of mass destruction technology by Washington, or even by Tokyo, so that it can be used surreptitiously.

If you walk away from a treaty with Russia, will that make Russia more inclined to stop its assistance to the Iranian missile program? Or will Russia be more inclined to continue that assistance? Russia has now stated, in a change from what they implied would happen after Crawford, that expansion of NATO, particularly to include the Baltic States, is not something they can like; and if we should let that influence our decisions on NATO enlargement, which do we gain by—expanding NATO to the Baltic States, or scuttling the ABM Treaty with no immediate promises of gaining a real ability to protect against any of our genuine and immediate threats? If we end the ABM Treaty, will Russia stop nuclear deals of the sort that led us to sanction Russian institutions, or will it cozy up to Iran’s illicit nuclear weapons program?

The President has proffered the No. 2 priority yesterday and missile defense No. 3. I truly fear, however, that his impending actions on that third priority will torpedo his actions on his No. 2 priority. If that should occur, we and our allies will surely be the losers.

So far, the administration’s conduct in the war on terrorism has shown discipline, perseverance, the ability to forge international consensus and the flexibility to assume roles in the Middle East and in Afghanistan that the administration had hoped it could avoid. In this regard, the American people have been well served, and I compliment the President.

There was only 3 months old, however, and the new patterns of cooperation and support are young and fragile. We should nourish them and turn it into a realignment of international politics. We must follow up on the cooperation of the moment and turn it into a realignment of forces that will come—so that our grandchildren and great-grandchildren can look back on the 21st century and say that it did not replicate the carnage of the 20th century.

The war is only 3 months old, how-
question that it is critical and necessary that we deal with it. He and others have chosen to bring it before this body in the final hours of what should be a week toward recess or adjournment, awaiting the next session. I had hoped this would not be the case, but it is.

I would truly appreciate—and I think American agriculture would appreciate—a full debate. We have had that on the ranking member, Senator LUGAR—his alternative. It was important because it is a clear point of view that needs to be—must be—debated. We will have other alternatives up. I think the Cochran-Roberts alternative, the Harkin expresses clearly a balanced approach toward a 5-year agricultural policy.

The Senator from Nevada has within the Harkin bill a provision that, for western Senators and arid Western States, is an issue true to get things to western water laws and the rights of States to determine the destiny of their own water. I and others will want to engage the Senator from Nevada on that issue. That could take some time.

I know a number of amendments that I think will be coming. The Senator from New Hampshire is now on the floor to offer an amendment in relation to the sugar program that is both within the Harkin provision and in the Cochran-Roberts provision. That, again, is another important issue for many of the Western States and many of the Southern States. My guess is it will deserve a reasonable and right amount of time. In my State of Idaho, hundreds of farmers will be impacted, depending upon the success or failure of this amendment.

What I am trying to suggest to the Senator from Nevada is that even at a late stage, in an effort to get things done, you don’t craft 5-year policies in a day or in a few days. You do a year’s policy, oftentimes, because we know we will come back to revisit it again and again every year.

We hope that when we are through here, our work product will be conferred with the House and with the Secretary of Agriculture and this administration in a way that will establish a clear set of directions for production agriculture in this country. We know that production agriculture over the last good number of years has suffered mightily, under a situation of or below break-even costs for commodities, for many kinds of reasons.

The chairman of the Agriculture Committee is trying to remedy that in his bill. The ranking member has offered an alternative, and others will offer alternatives that have to be debated. I cannot nor will I support a rush to judgment.

Agriculture policy for my State is critical to the well-being of the No. 1 feature of Idaho’s economy, and we cannot decide simply, on the eve of Christmas, in an effort to get things done quickly, that we debate something that does not expire until next September.

While I think we have adequate time this week to do so, and maybe next week, to address other issues—because it appears we will be here for some time—then we must do it thoroughly and appropriately. I hope the Senator will not push us to try to get us to a point of conclusion (other than just a few more hours of debate). It is much too important to do so.

The PRESIDING OFFICER (Mr. AKAKA). The Senator from Nevada is recognized.

Mr. REID. I say briefly to my friend from Idaho, the Senator answered his own question—certainly mine. There is a lot to do on this bill. I acknowledge that. But we completed our last vote before 11 o’clock today. For the last hour, we have basically listened to people talking about the stimulus bill and the antiballistic missile treaty. The reason they have been talking about those things is there is nothing happening on the farm bill.

If we have other important issues—for example, everyone is familiar with the Cochran-Roberts legislation—let’s get them here and get them voted on.

I am happy to see my friend from New Hampshire here. The distinguished Senator has always had a real interest in sugar, and sugarcane. He and others will want to engage the Senator from Idaho, people will come forward and do that, that we not have a slow walking of these amendments. We are not trying to rush anyone into anything. But we are saying, when there is downtime here when people are not doing anything relating to the farm bill, it is not helping the cause. That is why I think no matter how many amendments there are, there should be a time for filing those amendments.

We are arriving at a point where I am going to ask consent to have a finite list of amendments. We are going to see if they will agree to have a cut-off time for filing amendments. If that is not the case, then other action will have to be taken.

This legislation is important to America. We are doing everything we can to move it as expeditiously as possible. It is unfortunate that we are working under time constraints. That is how it works in the Senate. We are always busy. There is always something coming today, or for that holiday. The fact is, the farming community of America is more concerned about getting this legislation done than when we go home.

The PRESIDING OFFICER. The Senator from New Hampshire is recognized.

Mr. GREGG. Mr. President, I come to the floor to offer an amendment on behalf of myself, Senator LUGAR, and Senator MCCAIN, cosponsors of the amendment. This amendment deals with what has been a fairly well-debated and discussed issue in our farm policy; that is, how we price sugar in this country. The sugar program in this country has been, in my humble opinion, a fiasco and an atrocity with the inordinate and inappropriate burden on American consumers for years. I call up my amendment.

AMENDMENT NO. 2166 TO AMENDMENT NO. 2171: The PRESIDING OFFICER. The clerk will report. The bill clerk read as follows:

The Senator from New Hampshire [Mr. GREGG], for himself, Mr. MCCAIN, and Mr. LUGAR, proposes an amendment numbered 2166 to amendment No. 2171.

Mr. GREGG. Mr. President, I ask unanimous consent that reading of the amendment be dispensed with.

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

The amendment is as follows:

(Purpose: To phase out the sugar program and by increasing savings to improve nutrition assistance.)

Beginning on page 84, strike line 1 and all that follows through page 87, line 8, and insert the following:

CHAPTER 2—SUGAR Subchapter A—Sugar Program

SEC. 141. SUGAR PROGRAM—
(a) IN GENERAL.—Section 156 of the Federal Agriculture Improvement and Reform Act of 1996 (7 U.S.C. 7272) is amended—
(1) and inserting the following:

‘‘(1) LOANS.—The Secretary shall carry out this section through the use of recourse loans.”

(2) in subsection (f), by striking ‘‘2003’’ each place it appears and inserting ‘‘2006’’;
(3) by redesignating subsection (i) as subsection (j);
(4) by inserting after subsection (h) the following:

‘‘(1) PHASED REDUCTION OF RATE.—
For each of the 2003, 2004, and 2005 crops of sugar beets and sugarcane, the Secretary shall lower the loan rate for each succeeding crop in a manner that progressively and uniformly lowers the loan rate for beet and sugarcane to 90 for the 2006 crop.’’;
(5) in subsection (j) as redesignated, by striking ‘‘2002’’ and inserting ‘‘2005’’.

(b) PROSPECTIVE REFERRAL.—Effective beginning with the 2006 crop of sugar beets and sugarcane, section 156 of the Federal Agriculture Improvement and Reform Act of 1996 (7 U.S.C. 7272) is repealed.

SEC. 142. MARKETING ALLOTMENTS.

Part VII of subtitle B of title III of the Agricultural Adjustment Act of 1938 (7 U.S.C. 159lba et seq.), is repealed.

SEC. 143. CONFORMING AMENDMENTS.

(a) PRICE SUPPORT FOR NONBASIC AGRICULTURAL COMMODITIES.—Section 201(a) of the Agricultural Act of 1949 (7 U.S.C. 1446(a)) is amended by striking ‘‘milk, sugar beets, and sugarcane’’ and inserting ‘‘milk, sugar beets, and sugarcane’’.

(b) POWERS OF COMMODITY CREDIT CORPORATION.—Section 5(a) of the Commodity Credit Corporation Charter Act (15 U.S.C. 714a(a)) is amended by inserting ‘‘other than sugar beets and sugarcane’’ after ‘‘agricultural commodities’’.

SEC. 144. CROPS.

Except as otherwise provided in this subchapter, this subchapter and the amendments made by this subchapter shall apply beginning with the 2003 crop of sugar beets and sugarcane.

Subchapter B—Food Stamp Program

SEC. 147. MAXIMUM EXCESS SHELTER EXPENSE DEDUCTION.

(a) FISCAL YEARS 2002 THROUGH 2004—
December 12, 2001

CONGRESSIONAL RECORD — SENATE

Section 5(c)(7)(B) of the Food Stamp Act of 1977 (7 U.S.C. 2014(e)(7)(B)) is amended—

(A) in clause (v), by striking “and” at the end; and

(B) by striking clause (vi) and inserting the following:

(vi) for fiscal year 2002, $354, $566, $477, $418, and $315 per month, respectively; and

(vii) for fiscal year 2003, $390, $602, $513, $452, and $315 per month, respectively; and

(2) EFFECTIVE DATE.—The amendments made by this subsection take effect on the date of enactment of this Act.

(b) FOR FISCAL YEARS 2002 AND THEREAFTER.—

(1) IN GENERAL.—Section 5(c)(7) of the Food Stamp Act of 1977 (7 U.S.C. 2014(e)(7)) is amended by striking subparagraph (B).

The amendment made by this subsection takes effect on October 1, 2004.

Mr. REID. Mr. President, if the Senator will yield for a question, again, I am not trying to hurry the Senator. Does the Senator have any idea how long his statement will take?

Mr. GREGG. My statement won’t take more than about 15 or 20 minutes.

Mr. GREGG. I am not sure who wants it right now at this time.

Mr. REID. Mr. President, there are only meetings going on from 1 until 2 o’clock. If we could vote at quarter to 1, that would be fine.

Mr. GREGG. I can’t really at this time agree to a timeframe because of the fact that I am not sure who wants to speak in opposition. I want to give them time. I don’t mind going to a vote as soon as we can.

Mr. President, the sugar program as constituted and as it has evolved over the years has regrettably become a raid on the pocketbooks of the American consumer to benefit a small number of sugar producers in this Nation.

The price of sugar in the United States is approximately 2 to 2½ times what the price of sugar is on the world market. The burden of that inflated price is borne by the consumers. In fact, the per capita costs is approximately $1.4 billion to $1.8 billion a year depending on whose estimate you use. That inflated price is a function of the fact that we have set up a system of nonrecourse loans, a very arcane system which essentially guarantees to the producer of sugar in this country 18 cents for its cane sugar and 22.99 cents for sugar beet sugar. In comparison with the fact that if they were to grow and try to sell that type of sugar in the open markets, the amount they would actually get is in the vicinity of 9 cents. The effect is that the U.S. consumer is paying the difference between 9 cents, which is what you get a guaranteed return of $1.5 billion when you pay in $260 million. There are not that many good deals like that out there anymore. I don’t think there ever was. But there are for the sugar producers. That is history.

Today, they are not paying in any more as a net issue. They are actually now getting paid tax dollars on top of this subsidy they get—tax dollars which amounted to about $465 million because the Government, under the nonrecourse loan process, had to go out and buy the sugar. Not only do we have to buy the sugar, but we have to store the sugar. We are getting back to that time of the 1970s and 1980s when President Reagan came in and found warehouses full of butter. There were people in this country who needed butter. Reagan was smart enough to ask why we were storing all of this butter and to get rid of it. They gave it to people who needed it.

We are starting to do that with sugar again, just like we did with butter. We are starting to store sugar. Now we have one million tons of sugar. It is projected we are going to have 12 million tons of sugar in the next 10 years. It is going to cost us $1.4 billion in tax dollars.

This isn’t the subsidy that consumers pay. We are going to first hit people with a subsidy. They are going to have to pay more for sugar than they should have to pay. They are going to have to hit them with a tax to produce the sugar for which they are already paying too much—$1.4 billion it is projected. We are going to have 12 million tons of sugar.

I do not know where we are going to put it. Maybe we are going to fill up the Grand Canyon. When you float the Grand Canyon, you will get all the sugar you ever wanted. We will have to find a place to put it. I am sure somebody will come up with a creative idea of where we are going to put it. Storing it will cost a huge amount of money. I have forgotten, but I think it is maybe $1 million. But there is an estimate for that, too. You have to figure we have to pay to store the sugar.

So we are going to have all this sugar we do not need. We are going to pay all these taxes we should not have to pay to buy this sugar we do not need. And then we are going to have this program which continues to produce sugar we do not need at a price which has no relationship to what the open market charges for sugar.

Just to reflect on that for a moment, I have a chart which shows the difference between the world market and the American production.

Some people will say: Oh, but this world market is a subsidized market. In some places it is. I acknowledge that. In some places it is a subsidized market. But not universally and not a situation of the sugar producers in the world. In fact, if we were to open American markets to competition, you could be absolutely sure we could
structure it in a way that the sugar that came into the country in a competitive way was not subsidized. So we would not have that problem. So as a practical matter, we can get around that issue, and it is not a legitimate issue.

So where are we? Basically, where we have been for many years. In the mid-1980s, the Congress had the good sense to say: Listen, this program makes very little sense. There are a lot of people making a lot of money at the expense of the consumers, and there is no market forces at work here at all. And there is no reason why we should continue a program that has all these detrimental effects.

There is another detrimental effect I need to mention, as long as we are at it, that is not a monetary one. It is an environmental one. We know that because we have so grossly overpriced the sugar production that there has been more of an impetus to create more sugar cane capability, especially in Florida. The effect of that, on especially the Everglades, has been devastating—so devastating, in fact, that last year under the leadership of Senator SMITH from New Hampshire, we had to pass a new bill to correct the problems in the Everglades, which is another bill that is going to cost us a huge amount of money in order to correct the problem that was created by the subsidized sugar prices and the overproduction of sugar.

We know as we clear these fields for sugar cane production, especially in Florida, that there is now in place a system to try to get some logic to that process—we know that has a huge detrimental impact on the environment of that area because most of these areas are marginal wetlands and also critical wetlands and especially recharge areas for the Everglades.

So on top of all the other problems the program has, it has had this unintended consequence of creating a significantly environmentally damaging event.

So where does that leave us? As I was mentioning, in the mid-1980s, we had the good sense, as a Congress, to say: Hey, listen. This makes no sense. This program makes no sense. Why should we be paying twice the price of sugar on the open market? Why should we be paying taxes to buy sugar we do not need? And why should we be sending the majority of this money to a small number of producers when the vast majority of growers are affected?

So we actually had a few years without a sugar program. There will be an argument made, I suspect, that is what caused the price of sugar to fluctuate. Yes, but the idea is that if you would start to see market activity in the sugar commodity. Unfortunately, we did not participate in this experiment long enough to find out whether we could bring market forces to bear.

But we were clearly moving in that direction.

The argument that that fluctuation in price, which was the precursor of having a market event, is one reason you do not want to have sugar production subsidized or one reason you have to have sugar production subsidized is as if to say because Ford Motor Company cuts the price of its car and comes out with zero financing, we should subsidize Ford Motor Company because the market is clearly having an effect on their price.

This program is obviously important to a number of States that have producers. But you cannot justify it in its current structure. It needs to be reorganized.

So what my amendment does is to eliminate the nonrecourse loan event. It makes the loans recourse and takes the savings and moves them over to the Food Stamp Program so that people who are on food stamps and who need to buy food commodities which are suffering from an inflated price because of the sugar industry will have more money available to them to do that.

Remember, sugar goes beyond candy, by the way. Some people think it is always candy. Sugar is in just about any product you buy that is a processed product. It has sugar in it. So if you are on food stamps, and you are trying to buy some pasta or you are trying to buy a meat sauce or you are trying to buy some sort of hamburger assistance that gives it a little flaire, all of those products, which are important to the nutrition of a person on food stamps, are having an inflated price because they have sugar in them.

This amendment says, let’s take the savings which will be regenerated here and move it into the Food Stamp Program. It is a very reasonable amendment. I am sure it is going to pass this year, even though it may not have passed in the last 7 years that I have offered it.

I reserve the remainder of my time. Actually, I do not have any time left, so I yield the floor.

The PRESIDING OFFICER. The Senator from New Hampshire yields the floor.

Who seeks recognition?

The Senator from Idaho.

Mr. CRAIG. Mr. President, let me use some time now. I know other colleagues want to speak to this issue of the Gregg amendment. I will speak for a time on it because there are some important issues involved.

The Senator from New Hampshire has, once again, portrayed the sugar program that has been a part of agricultural policy in this country for a good number of years as somehow evil and unjust, going to a small select group of people.

For the hundreds of farmers in Idaho who, for the last 2 years, have lost a lot of money raising sugar beets—and under the new provisions within the Harkin bill on the Cochran-Roberts amendment, they are getting more money—Sugar I find the arguments of the Senator from New Hampshire interesting and unique—interesting because he said he would eliminate the recource loan program and transfer the money to the Food Stamp Program.

It is pretty difficult to transfer money that does not exist, No. 1, because under the no-net-cost approach that is provided in the legislation that we are debating today, there is no authorized money specific to this program.

As we know, over the last good number of years, because of the market forces in the market concept, actually the Department and the Secretary of Agriculture were making money. There has been this brief period of time when recourse loans were purchased here, but from 1991 to 1999 about $279 million was actually made for the U.S. Treasury, all from the program. About 1.5 percent of the commodity program expenditure actually got caught up in recourse loans. But, again, that is that pool of money out there used for these purposes, with no specificity directed to the sugar program itself.

As the Senator has mentioned, the sugar program, as we call it, has—and his graph showed it—brought relative stability to the sugar market in this country. I say relative stability because during that period of time that he was talking about, in which there was not a program, there was a substantial runup and decline in price.

Not only were there dramatic peaks and valleys, not only did the consuming public feel it, but the large scale purchasers of sugar—up. But when that price then declined, of course, they didn’t reduce the price of their product because it was at its peak, very concerned. It shoved the cost of their commodities—candy bars or soft drinks, other uses of sugar—up. But when that price then declined, of course, they didn’t reduce the price of their product because they had already established a price in the market.

I find it most fascinating because there is the general assumption on the part of the Senator from New Hampshire, if he were to pass, the consumer would benefit, and there is absolutely no evidence in fact that that would happen. In fact, there is argument quite to the contrary.

Over the last couple of years we have seen a dramatic decline in sugar prices in this country, even with the current program. Nowhere have we seen any one retail product on the consumer market shelf decline as a result of the reduction in sugar prices. Why so? My guess is it goes into the profitable bottom line of that commercial producer out there. I don’t argue that. It is the reality of what we are dealing with.

But don’t think the amendment the Senator is offering brings down the price one penny on a candy bar, one penny on a bottle of pop, or any other commodity in the marketplace, from boxed cereal to any other product that has sugar added to it to enhance flavor and to characterize the product to see it come down. That is simply a false argument. The reason I use the word
“false” is because the evidence that it would be quite to the contrary. The evidence is that it would not because clearly we have seen that kind of price not happen in the last several years.

The U.S. producer price for sugar has been below $26 for the past 20 years, low for almost 2 years, down more than a fourth since 1996. That is under the current program. That is why this past year we have seen some forfeiture of sugar, and that is why the Department of Agriculture now owns some sugar.

Before us, the new policy that will become agricultural policy, changes that and moves us clearly back to a no-net cost to the consumer.

Grocers and manufacturers are not passing through these lower prices, as I have mentioned, whatever the product. While we have seen this drop in price almost to a historic low, the harm has not been to the consumer because they have not felt it, or, the positive side, it has had the highest family sugar that has been the producer of the product and has had to offer the flexibility that they must in a production scenario to offset those kinds of costs.

There are a good many other issues out there, several of my colleagues in the Chamber to debate this issue. I will deal with other portions of it as we come along.

The United States is required to import, under current law, nearly 1.5 million tons of sugar or about 15 percent of its consumption. We already buy sugar off the world market. Each year, whether the U.S. market requires that sugar or not, that is the agreement. That is what the program offers.

In addition, unneeded sugar has entered the U.S. market outside of the sugar import quota through the creation of products from import quota circumvention. We, for the last several years, have had the frustration of what we call stuffed product, product that is intentionally enhanced with sugar, brought into this market reprocessed. The sugar is pulled out of the product—in this case molasses—to get around these kinds of limitations in the marketplace and limitations to the market itself. Why? Obviously, sugar is a commodity that moves. And we have now had court tests against that saying, yes, those are violations.

We also have an agreement with Mexico through the North American Free Trade Agreement that brings sugar into this market. So to suggest that we are immune to a world market is not all of the story. The story is that 15 percent of the sugar that is in the U.S. market is world market sugar.

When the Senator from New Hampshire quotes the world market price, he is quoting the open price. He is not quoting the price of Western Europe. He is not quoting the price anywhere else in the world. All prices differ based on supply, demand, and access to markets.

What we have tried to do over the years with the sugar program is create stability, stability to the consumer and to the producer. Historically, we have been very successful in doing just that. We have done it in large part at no cost to the American taxpayer and, in fact, at less cost to the American consumer. The situation rungs in sugar prices that had to be imposed immediately through to the consumer simply have not existed.

There are a good number of other arguments I know my colleagues want to make out of this. It is an important part of an overall agricultural policy for this country. It is an important part of an overall farming scenario for my State and for many other States in the Nation. It creates stability in the farm communities of my State. It has historically been a profitable commodity to raise in Idaho. It is no longer today.

I hope the programs we are debating that are within the Harkin bill and that are within the Roberts-Cochran sugar back to the market. At the sugar beet producer in the Western States and in the Dakotas and Michigan, and certainly to the cane producer in the South.

I yield the floor. When the appropriate time comes, as the Senator from New Hampshire has already requested the yeas and nays on his amendment, I will ask my colleagues to stand in opposition to it.

The PRESIDING OFFICER. The Senator from Wyoming, Mr. Thomas.

Mr. THOMAS. Mr. President, I appreciate the comments of my friend from Idaho. It is an interesting issue. It affects much of the country, all the way from Wyoming to Hawaii cane sugar, Louisiana, down to Florida, back through our part of the world. We are talking about an industry that provides nearly 400,000 jobs.

It has been said that this is a small, minute industry. It is not. In fact, in terms of the work required in the agricultural crops which are refined, ready for the market, ready for the shelf when they leave our State. So we have factories there that provide employment, of course. In many rural communities, sugar is a very important economic issue, not only to farmers but also to processors. Economically, it generates $26 million annually.

The debate over sugar takes place nearly every year, and the same arguments are made nearly every year. The fact is, there is a solid reason to have an industry of this kind, and I hope it will continue in the future. By world standards, U.S. producers are highly efficient—eighteenth lowest in the cost of production out of 96 producing countries and regions—despite, of course, having the highest labor and environmental standards. Some of the lowest cost is produced in the West. So we are interested and involved in that.

As was pointed out, there is talk about the world market. The fact is, the world market is a dump market. It is what remains after the other countries use all they can and put it on the market. It is not an economic cost. To compare that is simply not true. The current prices in all world export markets are dumped.

Of course, as was mentioned, one of the things we have just gone through is the Unfair Trade Act of Canada. As a situation called stuffed molasses, where it is against the trade arrangements to bring in sugar. So they mix sugar and molasses, bring it across the line, take it back out of the molasses and market it as sugar. Fortunately, we were able to get court decision. Hopefully that gimmick is closed. We will continue to work on it, of course.

The fact is that consumers do benefit. The retail price of sugar is virtually unchanged since 1990. Our prices are 20 percent below developed market prices. And interesting enough, as is the case with lots of agriculture, the product price to the producer is quite different than to the consumer. I think it points it out here. The producer price for sugar has fallen 23 percent. At the same time, the consumer price is up 6 percent. So the idea that this program is a handicap to consumers is simply not accurate.

As I said, the price for sugar to the producer has fallen 23 percent, but grocery stores have not lowered their price. Cereal is up 6 percent. Cookies and cake are up 10 percent. Ice cream—my favorite thing—up 21 percent. So we have a program that affects many people which has good for consumers in this country. We have a program that has generated a good deal of money and since 1990 in market assessment tax. We have lots of good things in this program, and we need to continue to make sure it is there for consumers and it is there for producers.

I want to mention a couple of other items. As an industry, the U.S. retail price is 20 percent below the average of developed countries. It is third from the bottom, only above Switzerland and Singapore. So in terms of our economy, sugar is a bargain for the consumer. As I mentioned, these prices have gone up.

So we have a program that has worked, a program that is very important to consumers, to producers and processors, and it will not have been some. We are going to have more within the industry an effort to control production so we don’t have excessive production. That is going to be done. Not only have we had a good program, we are in the process of having an even stronger program. I will resist the amendment on the floor and urge my fellow Senators to do the same.

I yield the floor.

The PRESIDING OFFICER. The Senator from Louisiana is recognized.

Mr. BREAUX. Mr. President, I rise in opposition to the amendment related to the sugar program. That has become
sort of a biannual exercise, where we must come to the floor and defend a program that has really worked in favor of not only the American producer but also the consumer of sugar products.

I don’t know how many Members of Congress, the mail situation being what it is, have had a lot of people writing and telling us: You have to do something about this terrible sugar program because the price of sugar is so high that I can’t afford to buy sugar to sweeten my tea or to use on the food in my home.

The fact is that the program has worked very well for both the producer of the product and also for the consumers of the products. It is a program that has a great deal of history. Since about 1985, the sugar program has had a loan much as the other commodities have had. The loan has been about 18 cents a pound for cane sugar producers. That has been the loan level for a number of years. Since 1996, the program has allowed the American sugar producer to survive.

Very simply, the program works. If the market that exists for sugar is above the loan level, our producers are able to sell whatever they can get above the 18 cents level. If the price falls below the 18 cents level for sugarcane, then the Government will provide, in the form of a loan, that amount per pound to the American sugar producer. That allows them to stay in business.

The good news is, unlike some of the other commodities, our Government can help guarantee there will be a minimum price, trying to control the imports that come into this country. Some would argue that we should have free trade and they should be able to sell into this country anything they want anytime they want. The reality of the situation is that most countries—100-some countries in the world that try to sell sugar in this country—take care of their own domestic needs, and then they dump the rest into the U.S. market for any price they want. They don’t care whether they get 18 cents, or 5 cents, or 8 cents for it; they just want to get rid of it. They attempt to dump whatever they don’t need into the U.S. market, which, obviously, if we didn’t have a program, would be allowed to destroy the industry in this country completely.

So it is a good package, and I thank the folks who have worked in committee to put it together—will continue that type of program, at no cost to the American taxpayer, which I think is unique in itself as far as this commodity is concerned. It is a good program, and it has worked.

This is really interesting, and I will use one chart. When people look at whether the price of sugar is going up well, the price to the people who produce it is going down. Since 1996—these are producer prices, the people out in the field. Since 1996, the producer wholesale price level for sugar has gone down 23.4 percent. That is since 1996. So when people argue that somehow producers are getting rich off the program, the reality is that the price, according to the U.S. Department of Agriculture, has gone down 23.4 percent, but the price to the people who actually produce the product.

If anybody has a complaint about the price of sugar—and what I mentioned in my opening comments is that we don’t have to go to Wash. ington, or making phone calls, or writing letters saying the price of sugar is too expensive. Nobody is complaining about it. If you look at the facts, the products that have increased in price and some of the products you should go after are the candy industry, cereal, cookies and cakes, bakery products, and ice cream. Those products have gone up substantially higher over these years than the wholesale refined sugar price of 5.8 percent; that is all. So the housewife, or the person buying groceries for the family, has not noticed an inordinate increase in the price of sugar at all. It is in keeping with the cost of other inflationary price increases we have seen, or even more than the regular increases.

But there have been increases in products that use sugar. If there is a complaint, we ought to look at them. The wholesale price at which they buy the sugar has dropped 23 percent, but their price at the retail level has increased by as much as 21.4 percent in the case of ice cream and 14 percent in bakery products.

We have a program that has worked well. We have a loan program that sets a price that has been 18 cents since about 1985. It is a good program, and it operates at no cost to the taxpayer. It keeps beet farmers and sugarcane farmers in business. In Louisiana, all of our cane farmers and family farmers; they are not large. They work hard every day. The only thing they need is a little bit of assistance that we provide in this program, at no cost to the taxpayer. To change something that has worked would be the wrong policy. I strongly urge that we defeat the Gregg amendment to this important piece of legislation. I yield the floor.

The PRESIDING OFFICER. The Senator from North Dakota, Mr. Conrad, is recognized.

Mr. CONRAD. Mr. President, I thank my colleague from Louisiana for his remarks because he is right on target with respect to this amendment.

This amendment of the Senator from New Hampshire is a mistake. When the Senator from New Hampshire gets up and tells our colleagues that the world price for sugar is just over 9 cents a pound, it is just not true.

That is not what the world price of sugar is. If one thinks about it for a moment, it could not possibly be because the cost of producing sugar is over 16 cents a pound. In fact, it is about 16.3 cents a pound. So how could it possibly be that the world price for the commodity is just over half of what it costs to produce? It cannot be, or the entire sugar industry worldwide would be bankrupt. This is not the case.

I do not think there is anybody who really knows the sugar industry who does not understand that the cost of producing sugar is between 16 and 18 cents a pound. That is what it costs to produce sugar. So anybody who tells you that the world price is a fraction of what it cost to produce is firing with blanks.

The hard reality is, that is not the world price of sugar. That is a dump price for sugar. I guess it is easy to understand how these misassumptions occur because people are not familiar with the industry. The fact is, the vast majority of sugar in the world moves under long-term contracts. When they go to this so-called world price, they do not have what is the true price of sugar. What they have is what sugar is dumped for outside long-term contracts. It is a fraction of the sugar that is sold in the world.

If you want to do a reality test, what I want you to do is this: look at the world price of sugar and figure out how much sugar is dumped. This is not the case. This is not the case. This is done by countries that try to sell sugar in this world that try to sell sugar in this country. They just want to get rid of it. They are dumping it at the world price of sugar that sells outside of long-term contracts. This is not the case.

I do not think there is anybody who really knows the sugar industry who does not understand that the cost of producing sugar is about 16 and 18 cents a pound. So anybody who tells you that the world price is a fraction of what it cost to produce is firing with blanks.

The hard reality is, that is not the world price of sugar. That is a dump price for sugar. I guess it is easy to understand how these misassumptions occur because people are not familiar with the industry. The fact is, the vast majority of sugar in the world moves under long-term contracts. When they go to this so-called world price, they do not have what is the true price of sugar. What they have is what sugar is dumped for outside long-term contracts. It is a fraction of the sugar that is sold in the world.

If you want to do a reality test, what I want you to do is this: look at the world price of sugar and figure out how much sugar is dumped. This is not the case. This is not the case. This is done by countries that try to sell sugar in this country. They just want to get rid of it. They are dumping it at the world price of sugar that sells outside of long-term contracts. This is not the case. This is not the case.

The occupant of the chair, the Senator from New Hampshire, is deeply knowledgeable on this matter. The Senator from Hawaii has helped lead this debate many years in this Chamber. He understands the industry, and he knows that the vast majority of sugar in the world sells under a long-term contract.

That is what I think is misleading the Senator from New Hampshire. Those long-term contracts are not part of this calculation on the so-called world price because, in fact, it is not a market price; it is a dump price. It is for sugar that sells outside of long-term contracts, that those who have produced more than they sell under long-term contracts go out and dump.

I want to go to the next point that I think is very important for people to understand. That is the developed countries’ retail sugar prices. The United States is 20 percent below the average. This chart shows other countries’ retail sugar prices in developed countries: Norway, 86 cents a pound; Japan, 84 cents a pound; Belgium, 75 cents a pound; Denmark, 75 cents a pound, and on it goes. I am part Swedish, 62 cents. I am part
Danish. Sugar is 75 cents there. Nor-
many times in the past in rec-
poorer for it as a nation.

When our colleague from New Hamp-
all over the world on what we pay for
sugar.

I can understand how confusing the economics of this industry are to those who are not familiar with the industry and not familiar with agriculture, but the reality is very simple: What farm-
eres are getting has been going down
and down substantially over the last several years. We are on the brink of a massive failure of sugar producers all across this country because of the collapse in the prices they are being paid for their product.

The Senator from New Hampshire runs out here and says to every-
body that the consumers are being gouged, it is not true. It just does not stand up to any analysis. The fact is, we are third from the bottom in the de-
veloped world on what we pay for sugar. We want a strong agriculture policy in America, and we want a level playing field. We know that much too often other countries tend to favor their pro-
ducers, their industries, their compa-
ies at the expense of the United States, at least more so than we Amer-
icans do.

Every country has a more, if I can use the term, competitive advantage, one that is, tends more toward Government intervention in helping the producers and companies and their industries, than does the United States. Frankly, it is the view of the United States that we need to be independent, let producers and compa-
ies pursue their own agenda. At least on a comparative basis that has made us stronger than other countries. It is a major strength of America. Having said that, clearly we don’t want to add to this problem. We want a strong agriculture policy in America, and we want a level playing field against foreign competition.

In the meantime, even though other countries do subsidize their producers or their companies or industries more than we do, we, through our inge-

nuity—this is a general statement; there are exceptions—are able to fight back with greater ingenuity, creativity, good old American can-do, common sense, and find a way to get the job done. We don’t moan and compl-
ain but rise to the occasion and get the job done.

This amendment moves us in the op-
posite direction. It says although the playing field is not level, although it is tilted today against the United States with respect to sugar, we will tilt it even more against American sugar pro-
ducers. That is what this amendment does.

As other Senators have ably demon-
strated, the facts show that com-
pared to other countries the United States is the world’s fourth largest sugar producer, trailing only Brazil, India, and China.

But despite these positive statistics, our sugar producers are hurting. Pro-
ducer prices for sugar have fallen sharply since 1996. Wholesale refined sugar prices are down 23 percent. Prices for sugar have been running at a 20-year low for most of the past two years. This has caused a deep hardship for American sugarbeet and sugar cane farmers. Many have gone out of busi-
ness and many more are on the brink of economic ruin.

We have seen 17 permanent sugar mill closures in the nation since 1996. These closing are devastating to entire communities. Hollowing out our sugar industries, mill employees, transportation, restaurants, small businesses, and the list goes on. Some producers are trying to buy mills that are on the brink of bankruptcy in order to protect further communities from these losses.

For example, the Rocky Mountain Sugar Growers Cooperative is in the process of purchasing several mills in the Montana, Colorado and Wyom-
ing areas. These producers, and the cities that depend upon them, need a sugar policy that they can depend upon so that they can once again flourish.

We need a strong sugar policy. Amer-
ican sugar farmers are efficient by world standards, and are willing and prepared to compete on a level playing field against foreign competitors. But they cannot compete against foreign governments. We must give them the level playing field they need.

I strongly urge this amendment be defeated. It does not make sense. Once the Senators know the facts, Senators will realize this amendment should not be adopted.

The PRESIDING OFFICER. The Sen-
ator from Louisiana is recognized.

Ms. LANDRIEU. Mr. President, I join my colleagues, who have spoken so elo-

quently and forcefully on this subject, in urging the Senate to defeat the Gregg amendment.
Mr. President, Louisiana is a sugar State. There are 18 sugar mills and two sugar refineries in Louisiana and we have more acreage devoted to sugar-cane than any other State. Many of our parishes rely on the sugar industry for their economic vitality. It is an important industry that has been relatively stable because of this sugar mechanism in the farm bill. There are different provisions in this farm bill, but the sugar provision is unique in that it is a provision that can actually return money to the family farmers. It is a self-help mechanism. From 1991 to 1999, this policy was a net revenue raiser of $279 million. Sugar loans last year amounted to only a little over one percent of federal commodity expenditures, and this negligible cost will be defrayed as that sugar is gradually sold back into the market. In addition, between 1997 and 2001, the government rightly spent $90 billion to save rural America from other commodity forfeitures. None of that money went to sugar producers.

Because the sugar industry does not enjoy the same types of price supports as other commodities, we have developed over many years in Congress a program that both maintains low retail prices and provides support to an industry that must compete with heavily subsidized foreign sugar programs. The Senator from New Hampshire’s Amendment would replace production by efficient, unsubsidized American sugar farmers with sugar from less efficient, heavily subsidized producers from Brazil and Europe. I believe the American sugar program is one worth supporting. It has been carefully crafted, and helps retain jobs and offers a fair return to the farmers. The United States needs a sugar policy that will maintain the economy and the quality of life in sugar growing communities, as well as a competitive sugar market for consumers.

I yield the floor.

Mr. President, an amendment to the Gregg Amendment. In my opinion, this is a terrible amendment. Essentially it abolishes the sugar program and significantly injures a good many family farmers who are struggling under ordinary circumstances to try to make a decent living.

I will try to correct some of the misconceptions about the sugar program. First, I thought I would point out that this debate is about this. This is the fun-sized Baby Ruth candy bar. This debate is about candy corporations versus family farmers. I intend to eat this Baby Ruth when I am finished. That is why I don’t have a large, full-sized Baby Ruth. This is a fun size. Let me read for a moment the ingredients of the candy bar.

For the corporation that makes it, I am not casting aspersions upon your product. Since I intend to eat it, I would be telling people it is a pretty decent product. Let me describe what is in it.

Ingredients: Sugar. That is not in bold type, it just says sugar. That, of course, misses the point. There is a lot of sugar in this candy bar. That is what this debate is about. This debate is about the price of the sugar that this company is paying for and putting in this candy bar.

What else is in this candy bar? Although this debate is about sugar only, I thought it would be useful, perhaps, to read the entire list of ingredients:

Roasted peanuts, corn syrup, partially hydrogenated palm kernel, coconut and soybean oils, high fructose corn syrup, dextrose, skim milk. And then emulsifiers—with a couple of emulsifying words I cannot pronounce—and artificial flavors, TBHQ. Maybe I won’t eat this after I finish; maybe I will. Emulsifiers: Artificial flavors, carrageenan, TBHQ, and citric acid to preserve freshness. Then they have added caramele color.

So that is what is in this little old Baby Ruth. This issue is about the sugar, the first ingredient in this candy bar.

This amendment is not new. We have had this amendment time and time and time again because those who produce candy in this country, among others, want a lower cost of sugar.

Let me ask the question. Has anyone noticed recently that the price of candy bars should be going up again? Go to the store to the candy counter and pick out a bar, any bar, and ask yourself, has there been a reduction in the price of that bar? Maybe a 10-percent cost reduction? Maybe 20? Maybe 30? Maybe 40? Anybody see any of that? I don’t think so. Same candy, same price or higher price, but they are paying less for sugar.

Who gets the benefit of that so-called low sugar? They get lower prices for sugar. They are good, hard-working honest folks. They produce a good product. They plant those beets and they hope very much they will get a decent crop. When they get a decent crop, they hope, through their marketing mechanisms, they will have a decent price.

But you know what has happened to the sugar producers and beet producers and cane producers and so on? The underlying farm bill has been so poor, so badly constructed in the last 6 or 8 years, that farmers, because the underlying farm bill for other crops has been so poor, farmers have planted more in beets. That is the fact. It relates, of course, to the underlying Freedom to Farm bill, which has been a terrible failure. But it is not just that there has been some additional acreage planted. It is not the issue of this today. We have had some price problems but that is not the issue that is driving all this.

Let me give an example of what is driving it. It always comes back to the price of sugar. It has been sitting on the table for several years. It is driving the market. It is driving the cane growers in the Red River Valley, trying to produce beets, and hope beyond hope they can support their family and get a price for their beets. They take a look at this and say, what about this cheating in international trade, this so-called subsidized molasses?

I hold up a Baby Ruth. We all know what a Baby Ruth is. Has anybody ever read the ingredients of that candy bar? It is a transport for Brazilian sugar, ran it through Canada. Then they load liquid molasses with Brazilian sugar and ship it into the United States in contravention of our trade laws. It is a so-called legal way of cheating. It happens in our trade laws virtually all the time and nobody can do a blessed thing about it.

So those who are farming out there in the Red River Valley, trying to produce beets, and hope beyond hope they can support their family and get a price for their beets, they take a look at this and say, what about this cheating in international trade, this so-called subsidized molasses?

I am finished. That is why I don’t think so. Same candy, same price or higher price, but they are paying less for sugar.

Who gets the benefit of that so-called low sugar? They get lower prices for sugar. They are good, hard-working honest folks. They produce a good product. They plant those beets and they hope very much they will get a decent crop. When they get a decent crop, they hope, through their marketing mechanisms, they will have a decent price.

But you know what has happened to the sugar producers and beet producers and cane producers and so on? The underlying farm bill has been so poor, so badly constructed in the last 6 or 8 years, that farmers, because the underlying farm bill for other crops has been so poor, farmers have planted more in beets. That is the fact. It relates, of course, to the underlying Freedom to Farm bill, which has been a terrible failure. But it is not just that there has been some additional acreage planted. It is not the issue of this today. We have had some price problems but that is not the issue that is driving all this.

Let me give an example of what is driving it. It always comes back to the price of sugar. It has been sitting on the table for several years. It is driving the market. It is driving the cane growers in the Red River Valley, trying to produce beets, and hope beyond hope they can support their family and get a price for their beets. They take a look at this and say, what about this cheating in international trade, this so-called subsidized molasses?

I hold up a Baby Ruth. We all know what a Baby Ruth is. Has anybody ever read the ingredients of that candy bar? It is a transport for Brazilian sugar, ran it through Canada. Then they load liquid molasses with Brazilian sugar and ship it into the United States in contravention of our trade laws. It is a so-called legal way of cheating. It happens in our trade laws virtually all the time and nobody can do a blessed thing about it.

So those who are farming out there in the Red River Valley, trying to produce beets, and hope beyond hope they can support their family and get a price for their beets, they take a look at this and say, what about this cheating in international trade, this so-called subsidized molasses?
the sugar program and cut the legs out of our producers. I wish they would come to the Chamber with that energy and say, let's stop the cheating in international trade.

Let's stop the stuffed molasses, stop it dead. It is cheating. It is unfair, and undercut American producers.

When we are talking about trade, does anyone think of the farmer in Minnesota or North Dakota who is out there trying to raise beets, that their responsibility is to compete against Brazilian producers who are being unfairly subsidized? Is that trade that is fair? I don't think so, not where I come from. In my hometown, we understand what fairness is. We grew up understanding the definition of the word "fair."

What is happening to our farmers in international trade, all of our farmers? And I can go through long lists dealing with the issue of durum wheat in Canada and others, but let me focus on this issue. In order to sugar to demonstrate how unfair it is to American producers. Yet we do not have any energy coming to the Chamber, except those of us who have been trying desperately to write a law which prohibits that molasses coming into this country to hurt American producers.

When we are talking about trade, let me hold up a couple of charts that other of my colleagues have used those who are trying to run a family farm. I have nothing against candy corporations. I eat candy—probably more than I should. As I said, I intend to eat this piece of candy. But candy companies have done this right well. What has happened is they have seen a substantial reduction in the price of sugar and they love it. They have seen a substantial increase in their profits and they enjoy it, but has the consumer seen any evidence that the price of sugar is lower than it was? No. This is a transfer from the pockets of those running a family farm trying to produce sugar beets to the corporate coffers in the accounts called "profits" in the hands of some of the largest candy companies in the country. That is what it is. It is revenuesharing. It takes from those who have not and gives to those who have.

When you strip away all the pieces of this, you see what happened, a 23.4-percent reduction. The wholesale refined price for sugar—you see what happened, a 23.4-percent reduction.

I asked the question about the candy bar, but I really want a box of cereal. That cereal aisle in the grocery store is a wonderful aisle. It has so many different kinds of cereal these days you can hardly stop to see them all or understand them all. There are just lots and lots of boxes of cereal. When I take my kids to the grocery store with me, they know all those names. They have seen them advertised. They want to buy the most byzantine boxes of cereal I have ever heard of. Occasionally they sneak them into the grocery cart.

Has anyone ever seen a reduction in the price of cereal as a result of a reduction in the price of sugar? I don't think so. Has anyone seen a reduction in the price of cookies or cakes at the retail level? No. They are heavy users of sugar. How about other bakery products? What about ice cream? Is ice cream selling at a substantial reduction? Of course, that is a tremendous carrier of sugar as well. No, I don't think so. The White House, I think, will say the price of doughnuts down because the price of sugar has plummeted. I don't think so. I think the price of doughnuts is up. I think the price of candy bars and cookies is up, including the profits of candy manufacturers who now want more. They want more. This is not enough. They want more.

They want to kill the sugar program. They say, to the American interest, that we want to do that is, you are not going to be able to do it—not today, not tomorrow, not next month, and not next year. This is a program that works. It is constructed in a way that works. It works for American family farmers and for American consumers.

We have a stable supply of sugar and a stable price. We had it for a long time until the most recent problems that, in my judgment, came about because the underlying farm bill didn't work.

Stability of supply and price serves both the family farmer interests and consumer interests. I think there are other interests here, I admit that. There is the interest of the candy manufacturers, and there are interests of those who are trying to run a family farm. But I am most especially interested in the broader question of public interest that reflects who live and work on our land in this country—family farms—and the interests of the broader spectrum of the American public who want stable, reasonable prices on their grocery store shelves. That is what this issue is about.

I don't disparage those who have offered this. They come from their perspective. They represent the candy manufacturers. Some other interests want lower sugar prices. I represent family farmers who want a fair deal. All they want is a fair deal. They are not getting it. This amendment would further destroy their opportunity to make a living. We are going to kill this amendment, I hope, in the next couple of hours.

I yield the floor.

The PRESIDING OFFICER (Mr. NEILSEN): The Senator from Nebraska (Mr. NEILSEN), the Senator from Hawaii is recognized.

Mr. AKAKA. Mr. President, I rise today to speak against the amendment being offered by my colleague from New Hampshire, Mr. GREGG, that will terminate the sugar program. This program is a vital subsidy that provides valuable assistance to U.S. sugar farmers and ensures that sugar remains an affordable commodity for American consumers. While we are all facing different challenges, I must remind my colleagues that American farmers are hurting.

We must also realize that should we lose the sugar program in our country, our sugar farmers would go out of business and we would be at the mercy of world sugar. We would be suffering with high prices. We would not be in control of prices, and the American public would be hurt.

United States sugar producers have been devastated by our country's costly and inefficient sugar program, which provides substantial support to candy manufacturers. As a result, U.S. sugar farmers have gone out of business and a number of beet farms and cane mills have closed. In the same period, 17 sugar mills have
Mr. WELLSTONE. Mr. President, I ask unanimous consent that the order of the quorum call be rescinded.

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

Mr. WELLS. Mr. President, I was at a labor rally on the economic recovery plan and lost my voice, but I came back here to speak on this amendment. I have been following this debate a little bit. I wanted to comment on what was said on the floor. In that rally there were indeed some steel workers from the Iron Range of Minnesota, I say to my colleague from Minnesota. Basically, the message was this: We are out of work through no fault of our own, and we are running out of unemployment insurance benefits. And we don’t have coverage for our loved ones, for our children, or for our families. I believe this is sort of a test case of whether or not we in the Senate, or for that matter in the administration, care about hard-working people. We are not talking about the wealthiest top 1 percent. How- ever at the same time we are worried about the Social Security surplus and say we have no money for children, for education, for the IDEA program, for child care, for health care. I am afraid to help people who are out of work right now.

I yield the floor. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. WELLS. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

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

Mr. WELLS. Mr. President, I was at a labor rally on the economic recovery plan and lost my voice, but I came back here to speak on this amendment. I have been following this debate a little bit. I wanted to comment on what was said on the floor. In that rally there were indeed some steel workers from the Iron Range of Minnesota, I say to my colleague from Minnesota. Basically, the message was this: We are out of work through no fault of our own, and we are running out of unemployment insurance benefits. And we don’t have coverage for our loved ones, for our children, or for our families. I believe this is sort of a test case of whether or not we in the Senate, or for that matter in the administration, care about hard-working people. We are not talking about the wealthiest top 1 percent. However, at the same time we are worried about the Social Security surplus and say we have no money for children, for education, for the IDEA program, for child care, for health care. I am afraid to help people who are out of work right now.

I yield the floor. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. WELLS. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

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

Mr. WELLSTONE. Mr. President, I was at a labor rally on the economic recovery plan and lost my voice, but I came back here to speak on this amendment. I have been following this debate a little bit. I wanted to comment on what was said on the floor. In that rally there were indeed some steel workers from the Iron Range of Minnesota, I say to my colleague from Minnesota. Basically, the message was this: We are out of work through no fault of our own, and we are running out of unemployment insurance benefits. And we don’t have coverage for our loved ones, for our children, or for our families. I believe this is sort of a test case of whether or not we in the Senate, or for that matter in the administration, care about hard-working people. We are not talking about the wealthiest top 1 percent. However, at the same time we are worried about the Social Security surplus and say we have no money for children, for education, for the IDEA program, for child care, for health care. I am afraid to help people who are out of work right now.

I yield the floor. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. WELLS. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

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

Mr. WELLSTONE. Mr. President, I was at a labor rally on the economic recovery plan and lost my voice, but I came back here to speak on this amendment. I have been following this debate a little bit. I wanted to comment on what was said on the floor. In that rally there were indeed some steel workers from the Iron Range of Minnesota, I say to my colleague from Minnesota. Basically, the message was this: We are out of work through no fault of our own, and we are running out of unemployment insurance benefits. And we don’t have coverage for our loved ones, for our children, or for our families. I believe this is sort of a test case of whether or not we in the Senate, or for that matter in the administration, care about hard-working people. We are not talking about the wealthiest top 1 percent. However, at the same time we are worried about the Social Security surplus and say we have no money for children, for education, for the IDEA program, for child care, for health care. I am afraid to help people who are out of work right now.

I yield the floor. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. WELLS. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

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

Mr. WELLSTONE. Mr. President, I was at a labor rally on the economic recovery plan and lost my voice, but I came back here to speak on this amendment. I have been following this debate a little bit. I wanted to comment on what was said on the floor. In that rally there were indeed some steel workers from the Iron Range of Minnesota, I say to my colleague from Minnesota. Basically, the message was this: We are out of work through no fault of our own, and we are running out of unemployment insurance benefits. And we don’t have coverage for our loved ones, for our children, or for our families. I believe this is sort of a test case of whether or not we in the Senate, or for that matter in the administration, care about hard-working people. We are not talking about the wealthiest top 1 percent. However, at the same time we are worried about the Social Security surplus and say we have no money for children, for education, for the IDEA program, for child care, for health care. I am afraid to help people who are out of work right now.

I yield the floor. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. WELLS. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

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

Mr. WELLSTONE. Mr. President, I was at a labor rally on the economic recovery plan and lost my voice, but I came back here to speak on this amendment. I have been following this debate a little bit. I wanted to comment on what was said on the floor. In that rally there were indeed some steel workers from the Iron Range of Minnesota, I say to my colleague from Minnesota. Basically, the message was this: We are out of work through no fault of our own, and we are running out of unemployment insurance benefits. And we don’t have coverage for our loved ones, for our children, or for our families. I believe this is sort of a test case of whether or not we in the Senate, or for that matter in the administration, care about hard-working people. We are not talking about the wealthiest top 1 percent. However, at the same time we are worried about the Social Security surplus and say we have no money for children, for education, for the IDEA program, for child care, for health care. I am afraid to help people who are out of work right now.

I yield the floor. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. WELLS. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

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

Mr. WELLSTONE. Mr. President, I was at a labor rally on the economic recovery plan and lost my voice, but I came back here to speak on this amendment. I have been following this debate a little bit. I wanted to comment on what was said on the floor. In that rally there were indeed some steel workers from the Iron Range of Minnesota, I say to my colleague from Minnesota. Basically, the message was this: We are out of work through no fault of our own, and we are running out of unemployment insurance benefits. And we don’t have coverage for our loved ones, for our children, or for our families. I believe this is sort of a test case of whether or not we in the Senate, or for that matter in the administration, care about hard-working people. We are not talking about the wealthiest top 1 percent. However, at the same time we are worried about the Social Security surplus and say we have no money for children, for education, for the IDEA program, for child care, for health care. I am afraid to help people who are out of work right now.

I yield the floor. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. WELLS. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

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

Mr. WELLSTONE. Mr. President, I was at a labor rally on the economic recovery plan and lost my voice, but I came back here to speak on this amendment. I have been following this debate a little bit. I wanted to comment on what was said on the floor. In that rally there were indeed some steel workers from the Iron Range of Minnesota, I say to my colleague from Minnesota. Basically, the message was this: We are out of work through no fault of our own, and we are running out of unemployment insurance benefits. And we don’t have coverage for our loved ones, for our children, or for our families. I believe this is sort of a test case of whether or not we in the Senate, or for that matter in the administration, care about hard-working people. We are not talking about the wealthiest top 1 percent. However, at the same time we are worried about the Social Security surplus and say we have no money for children, for education, for the IDEA program, for child care, for health care. I am afraid to help people who are out of work right now.

I yield the floor. I suggest the absence of a quorum.
Do I think that some of these farm programs are an inverse relationship to need? Yes. Do I want to more target them? Yes. But I refuse to accept in tradeoff that is explicit—not implicit, but explicit—in this amendment that is before us today on the floor of the Senate.

Let me also say quite a few of the Senators who are out here with this amendment, and they can come out here and debate me, but I would bet that the historical record will show this: the way it had, in the past several years, a dramatic rise in the use of food shelves and food pantries, and while we have had any number of different reports that have come out, especially by the religious community, about the rise in the number of “food insecure households”—which is just another way of saying homes where people are hungry, maybe to the tune of about 30 million or thereabouts; I do not remember the exact figure, many of them will die a fight. And while we have heard a lot of discussion over the years about the sugar amendment and the sugar program, what really is at stake. There is a lot of discussion about the fact that the United States has, for its producers, independent producers in my State of Minnesota, I say no to that. I hope my colleagues will join me.

I yield the floor.

The PRESIDING OFFICER. The Senator from Idaho.

Mr. CRAPO. Mr. President, I rise in opposition to the amendment. We have heard a lot of discussion over the years about the sugar amendment and the sugar program in the United States. In fact, as the distinguished Senator from Louisiana indicated, we seem to have this debate on at least a biennial basis. We have debated this debate since I have been in Congress, and long before that.

It would seem people in the country, and particularly here in Congress, would ultimately come to recognize what the true facts about this program are. But, nevertheless, we continue to debate it. I would like to talk a little bit about what really is at stake. There is a lot of discussion about the fact that the United States supposedly subsidizes its sugar and that that is a great cost to the taxpayers, cost to the consumer, and an inequity in international trade.

The reality is, although there is a lot of talk about the world sugar price—and I am going to discuss that in more detail in a minute—it is a trumped-up argument.

The United States, as a matter of fact, has the sugar program because other nations are subsidizing their sugar. The world sugar price, as is so often debated in these halls, is a world-dumped sugar price.

What happens, most nations that produce sugar produce enough sugar for what is consumed in their nation, and then they have some amount of sugar left over. That sugar that is left over is then able to be dumped on the world market through very anticompetitive and even predatory practices by these nations, where they are subsidizing production and dumping it into the world market in an effort to basically help their producers gain an unfair advantage against the producers in other nations.

What the United States did long ago was to recognize that if we were to allow this subsidized sugar to be dumped unjustifiably in the U.S. markets, it would drive the price of sugar in the United States unreasonably low and drive our producers out of business, thereby resulting in a capture of the market by these other nations and their producers. What we always see in the economic cycle when that happens is that the price can go up, as those who have driven out their competitors can, then more easily control the price.

I show on this first chart what we are talking about in terms of the world sugar dump market price. The world average production cost to produce sugar in the world market price that we often hear about is $9.22, which is why we have deemed it the world dump price. What happens is that a price far below the cost of production of sugar is generated by those nations. Subsidize and provide other anticompetitive barriers to the proper movement of sugar in a real market. It is this subsidized sugar that would flow into U.S. markets, significantly jeopardizing our producers in a way that would cause many of them to go out of business, that the U.S. sugar program is designed to stop. That is really what is at issue.

The question we must ask ourselves is, is the United States going to step up as we have done in the past to the plate and protect its sugar producers in an anticompetitive world market environment where clearly the competition is out there trying to drive our producers out of business?

Some respond by saying the U.S. sugar producers ought to be able to produce their sugar more efficiently or it really isn’t a world dump price, and the fact is that U.S. sugar producers want to keep their sugar at unreasonably high prices.

Again, the reality is, when we study the nations that have retail sugar prices—I distinguish here between a retail sugar price, the price the consumer pays at the marketplace to buy their sugar—the United States is clear down to the bottom in the developed countries in terms of the retail price paid for sugar in our markets. Our sugar producers are producing sugar efficiently. The price of sugar at our retail level in our markets is very competitive worldwide. In fact, as you can see from this chart, we are at the bottom.

The United States is third from the bottom among developed countries in terms of the low price of sugar.

The argument that our consumers are being hurt somehow by the sugar program is simply false. What is really at stake is that there are those who would like to push production of dumped sugar, of subsidized sugar, and dump that sugar into the U.S. markets to gain an unfair advantage.

If you want to look at whether that will cause the price of goods that utilize sugar to go down, you have to look at the marketplace in the United States. Every year we debate this, the amendment is made and the prices are are unreasonably high because of the sugar program, and if we could get those sugar prices down, we would save the consumers in the United States a lot of money. If you look at what has happened to the price of sugar for the last 4 years, it has come down. It has come down about 25 percent.

We haven’t seen the price of products that utilize sugar come down at all. The price of those products has gone up over the past 4 years. The savings there have not been passed on to consumers. Those savings, if any, in the reduction of the sugar price in the United States over the last 4 years, have gone directly into the pockets of producers. The U.S. Government subsidizing heavily about sugar beets, the sugar farmers throughout the United States are running at 20-year lows. For the past 2 years, the farmers in the United States are getting 20-year low prices, whereas the prices for the goods that utilize sugar have not come down at all.

We need to debunk some of these false theories or false rumors that have been placed out in the American public about what is happening in the sugar debate.

Another argument that is often made is that the sugar program involves the U.S. Government subsidizing heavily its own sugar to protect against this anticompetitive conduct. There are those who say even though we do recognize that there are predatory practices worldwide, the U.S. taxpayers should not be expected to be the ones who step up to the plate and protect.

Again, let’s talk about the real facts. Talk about the sugar, the sugar producers themselves pay an assessment on their crops to help fund the nonrecourse loan program that is established to protect the sugar industry. The sugar program basically consists of two very easy pieces: One, a nonrecourse loan; and, two, quotas on imports to protect us from dumped sugar being forced into U.S. markets.

If you look at what the cost to the U.S. Treasury has been as a result of this nonrecourse loan program, you find it is not something interesting. If you look at the last 12 years, this chart basically covers 9 or 10 years. The U.S. Treasury has gained money because of
I come from a business family, and I know the Presiding Officer has been involved in business as well. You don’t stay in business in this country if you can’t make a profit on what it is you produce and sell. That is what American farmers want to do: they are in business to make a profit—sufficient profit to pay for all their equipment, their seed, and their labor costs, and to get a fair return. Most important, they want to be able to provide for their families.

Something strikes me as terribly wrong in this country when these hard-working men and women—America’s farmers—want to spend their lives and devote their careers to feeding the people in our country and throughout this hungry world, yet they can’t make a decent profit on what it is that they themselves produce. I know farm families in Minnesota and their children are literally going hungry because they can’t make enough producing commodities to be able to buy what they need for their own families.

This is the crisis we have seen in the past. I think we have seen it clearly—at least speaking from Minnesota’s perspective—get worse and worse under the current farm bill. It was put together with all the best intentions. I don’t think there was a Sen- or in the Senate or in the House 6 years ago, when this bill was put together, who had any intention other than to best serve the interests of American farmers and the American people. But the fact remains that in the aftermath of that legislation, the decoupling of prices from payments and setting up of AMTA payments that were based on pre-1996 levels of production has essentially locked in historical production, as well as the payments made accord- ing to the size of those operations, and that, is, prices declined for many key commodities, and in sub- sequent years Members of Congress from both parties came back and agreed to- gether, under the administration of the former Democratic President—so this was bipartisan—they came back together year after year and authorized these emergency payments.

Last year in the United States, the Federal Government was the largest single source of financial support for American farmers. In some States, in- cluding parts of my own, net farm in- come in these areas was less than the amount of the Federal Government payments in support of these commod- ities. In other words, in the market- place the farmers lost money. If they had not received these Government payments, they would have been out of business. That is again why, from my perspective, the Congress, and the ad- ministration, year after year, as we’ve seen, must have those payments. They did not do so, given the market prices that were not just through the floor; they were in the sub-basement, the farmers

distinguished and outstanding chair- men of the committee. Senator LieU- from Indiana, when we first joined the committee, provided magnificent leader- ship. His longstanding commitment and concern not only to American farmers and producers, but also his deep support for the nutrition programs and benefiting children, consumers throughout this country.

When Senator Harkin became chair- man, I had the opportunity then, along with the Presiding Officer, to watch him provide the same kind of out- standing leadership. He has had the re- sponsibility to bring this bill through our committee and to the Senate floor. I can honestly say, after watching him over the last couple months, one of the positions I would least want to assume is that of chairman of the Senate Agri- culture Committee. While it has great responsibility, the work the chair- man has performed I think has been nothing short of truly remarkable, trying to pull together all the agricultural inter- ests in our very diverse country.

We have had some of our differences and disagreements, certainly, but I think they are based on representing the interests of the farm- ers in our particular States than anything else. Maybe some are on philosoph- ies and views on what the Govern- ment’s role in agriculture policy ought to be. Most from 50 di- verse States with very different agri- cultural interests, and we are trying to knit that all together here.

Again, I think Senator Harkin has been phenomenal in his ability to bring together all the different points of view and to reflect not only the interests of his own State of Iowa—which, coinciden- tially, is contiguous to my State of Minnesota, so we share many issues in common—but also those interests from all over the country. I think the bill that the chairman brought forward is really remarkable.

I have listened to the debate over the last couple of days. Again, there are many different points of view, and they all have considerable merit. I hear some who are critical of this effort be- cause of the costs involved and the need to provide some of these supports to American farmers and producers, so I sometimes have lost the context for this legislation and the rea- son that we, even in the committee, had to adopt some of these provisions.

As a Senator from Minnesota, where commodities such as corn, wheat, soy- beans, and other investments, and to get a great profit in the marketplace.

the sugar program because in each of the years 1991 through 1999, I believe in almost every year prior to that, the as- sessment paid by the sugar growers was more than was necessary to pay for the cost of the loan program, and the ex- cess went right into the U.S. Treasury. The Federal Government was making money off the sugar program to the taxpayers, not costing the taxpayers money.

It is true that in the year 2000 that reversed, and the loan assessments were not enough to cover it. And in that year there were costs to the tax- payer as a result of the nonrecourse loan program. We can’t say that in every single year there is going to be a benefit to the U.S. Treasury. But we can look at history and historically, in the vast majority of the years, the U.S. sugar program operates at no cost to the U.S. taxpayer. In fact, it puts dol- lars in the Treasury which we then al- locate to other important priorities in the United States.

Whether we are talking about the consumer, whether we are talking about the taxpayer, or whether we are talking about the sugar growers in the United States, the sugar program is a pro- gram that is designed for its stated purposes and is working well. There is no reason we should have to go through this debate endlessly, as those who would like to drive the price of sugar down even further in the United States continue to attack the sugar program. I encourage my colleagues to oppose the amendment to strike the sugar pro- visions from this bill.

Mr. DAYTON. Mr. President, I asso- ciate myself with the remarks made by the Senator from Idaho and by the two Senators who preceded him from Min- nesota and North Dakota. I was not aware that the Senator from Idaho pointed out the history in the sugar program, but I think this testimony today certainly underscores the bipartisan support for this program and also the benefits not only to sugar beet pro- ducers in these respective States but, as Senator Crapo has pointed out, to the American people.

I see no one else is here right now so I thought I would take a moment. I have been asked by the chairman of the Agriculture Committee, Senator Harkin, who is managing this bill, to sit in for him briefly because he has to chair a conference committee on one of the appropriations subcommittees. In baseball terms that is called “reaching deep into the bench” to put me in that posi- tion. It does give me an opportunity to speak for a moment about the superb job which the chairman, Senator Har- kin, has done in leading our Agri- culture Committee and also in bringing this bill to the floor.

As the Presiding Officer knows, since he and I were both on this committee for this first year, we have had the good fortune to serve under two very
would be going out of business. If they hadn’t acted as they did, Minnesota farmers, by the thousands, would have been out of business.

Therefore, if we don’t act as we are today, if we were to say take away all these subsidies and let the market and consumers determine prices, at least if I had my way, to find ourselves behind and move forward in a way that restores some of the market prices, at least if I had my way, to levels that are such that farmers could make a good price and profit.

Even more importantly, we need to address that issue in this country, frankly, there are forces—and some have been referred to by some of my colleagues—who prefer to see the price that goes to the farmers themselves as low as possible, and who benefit from having low market prices for these basic commodities because then, through the processing and the transport and retail and the like, they have a greater margin for profit in their own enterprises, striking that balance so that the American consumer, at the end of that, still pays a reasonable amount, which the consumers do today—remarkably less of their total family income as a percentage for basic food than virtually any other country in the world, because we have an efficient agriculture system, one that overall provides food for the consumer at a low price, providing for quality as well.

Those who want to keep prices low—and we have had this discussion in the Agriculture Committee, the Chair will remember, with the Secretary of Agriculture, where I asked the Secretary, because there are some in that administration and part of that Department who reportedly, from what I have read of their remarks, think the prices should be kept fairly low, should not get too high, because then it would have a negative effect on our efforts to expand trade and the like.

So I asked the Secretary if she could provide us with the actual market prices for these commodities that the administration thinks are in the best interests of American farmers, as well as trade and everything else. I have not yet received an answer to that question that I raised some time ago.

So to lay all the cards on the table here, clearly, as I say, there are many competing forces, and Chairman HARKIN, in my view, has done an extraordinary job of balancing them and putting this all before us. I might say the same about the conservation title. I know Senator HARKIN and other Members have worked closely on that. He has been working on these new initiatives in conservation for the last couple of years. I know because I had an opportunity—and some of the environmental groups and farm groups in Minnesota told me even before I took office, they were working with Senator HARKIN and with his excellent staff for the last couple of years framing these conservation programs.

Senator HARKIN recognized that we have already in current law—through, again, bipartisan and with bipartisan support—such very important conservation programs as CRP, WRP, the ways in which we have encouraged farmers and paid them through Federal funds to set aside lands that are probability very important in agricultural production—they may be marginal for that purpose; they may have environmental issues with extensive farm production—and where we therefore make it possible financially for farmers to do this. What they would like to do is act as stewards of that land and to go ahead.

So we have seen those programs.

They produce wonderful results and support the economic base in my State of Minnesota and across the country—environmental groups and farmers. This is one of those times when people from different interests, backgrounds, and perspectives work together, within the right balance, setting aside this amount of acreage has been in the best interests of our country. These are Federal Government programs that have worked for farmers and environmentalists alike. They have worked to preserve our resources. They have worked for sports men and women, fisher men and women, and hunters.

Senator HARKIN wanted to focus in particular on those farmers who have land in production but who themselves, especially during these times of economic hardship, would like to undertake some improvements for conservation purposes, who do not have the resources, sometimes even the technical know-how, to do so.

He crafted this new conservation program, the Conservation Security Act, which is a major component. It should be called the Harkin Conservation Security Act, to give due recognition to the leadership he has provided in support of farm organizations, environmental groups, and others in Minnesota and elsewhere in the country.

If we initiate a new approach which is successful, it will be a tremendous cornerstone of our nationwide conservation efforts by providing farmers with funds and working with them and with people with expertise in farmland conservation so they can bring more of their agricultural production into the best conservation practices known and provide them with funds to do so. I think that is an extraordinary and extremely important part of the legislation.

Finally, Mr. President, since I have the opportunity, I want to say how important I think the energy title of this legislation is. Again, I commend Senator HARKIN for his leadership in this area as well. He has been one of the champions in the Senate for a number of years in taking our agricultural production, such as it is, certainly prevalent in his State of Iowa and my State of Minnesota, and using corn for purposes of ethanol production, providing what is a winner all around, providing an additional market for domestic commodities so we raise them for that purpose, as I said earlier, providing for cleaner fuel, as an alternative, as a substitute for some of the hydrocarbon additives. Ethanol is an enormous contribution to a cleaner environment across this country, and also to domestic oil reserves.

I look forward next year to working in the area of expanding the use of soybeans for diesel fuel as an additive, and I know Senator HARKIN has been working to make the legislation work, as far as I am concerned, with myself and others, in that area as well.

Again, I commend the chairman. I certainly commend the ranking member as well, but I think through the chairman’s hard work especially, we have a bill today I am very proud to support.

I thank the Chair, and I yield the floor.

The PRESIDING OFFICER. The Senator from North Dakota.

Mr. CONRAD. Mr. President, when I saw the Senator from Minnesota was speaking on the farm bill, I wanted to come and thank him publicly for the role he has played as a new member of the Senate Agriculture Committee. The Senate Agriculture Committee deals with some of the most difficult issues when we are dealing with a new farm bill. This has been a debate that has extended over a long time. I point out that the Senator from Minnesota, a new member of the Senate Agriculture Committee, in my judgment, has become one of its most thoughtful members. We saw that with respect to the amendments he offered and his debate, both in the public sessions and also the sessions in which there were only members discussing how we would proceed.

I thank him. It is awfully good to have a new colleague from a neighboring State who has done his homework. Mr. President, if there are the issues I am concerned with, I believe that is the case with the Senator from Minnesota. I commend him for the role he has already played.

One of the things that happens around here is you develop respect based on your credibility, and the Senator from Minnesota I think has laid a basis that will serve him well for many years to come in the Senate.

I would be remiss if I did not acknowledge the role of the current occupant of the chair as well who is also a new member of the Senate Agriculture Committee, the former Governor of the State of Nebraska, almost a neighbor to North Dakota, but someone with
only as long as the U.S. sugar program is in place. The U.S. sugar program provides a cushion against imports from the world dump market, where U.S. producers of sugar have been running at 20-year lows for the last two years, and it is extremely difficult for our producers to compete because sugar production around the world is heavily subsidized. Because of this, the prices for sugar on the world dump market price has averaged, for the past two decades, and only about half of the price it would have been in the absence of subsidies. For example, the European Union (EU) has transformed itself from one of the world’s biggest sugar importers to one of the world’s biggest exporters with extremely generous producer subsidies. The EU subsequently unloaded its surplus sugar onto the world dump market with massive export subsidies. Some 6 million metric tons of subsidized sugar is dumped on the world market each year, for whatever price it can bring in. The U.S. sugar policy was a net revenue raiser of $279 million from 1991 to 1999. The sugar provisions in S. 1731 allow American sugar farmers and producers to compete on a level playing field against foreign sugar farmers. I urge my colleagues to defeat the Gregg amendment.

The PRESIDING OFFICER (Mr. CARPER). The Senator from Wyoming.

Mr. REID. Mr. President, a couple of hours ago, I came to the Chamber and indicated we needed to move this legislation along. We have not moved it very far, although this has been a stimulating debate on the topic of sugar. I have spoken to the Republican manager Senator LUGAR, and he has indicated he wants to speak, Senator ENZI wants to speak. And I see my friend from Arizona has spoken. I do not know if the Senator from Arizona has spoken. I do not know if the Senator from Wyoming has spoken. I do not know if the Senator from Idaho has spoken. I do not know if the Senator from Indiana has spoken. I do not know if the Senator from Nevada has spoken. We have not been in the Chamber all day. I say through the Chair to the Senator from Wyoming—are we talking about the sugar amendment, Senator DOMENICI wishes to offer an amendment, and then Senator BOND from Missouri will come in, and then Senator MCCAIN. Mr. REID, that sounds good. Mr. LUGAR. At least we know there will be some active debate on the sugar program. For the moment, I am prepared to yield to my distinguished colleague from Wyoming because I will be here for quite awhile, and to conserve his time so he might be heard, I yield the floor, and I will ask for the recognition of the Senator from Wyoming.

The PRESIDING OFFICER (Mr. CARPER). The Senator from Wyoming.

Mr. ENZI. Mr. President, I rise in opposition to the Gregg amendment which is to phase out the sugar program. The goal of U.S. sugar policy is for our producers to provide a consistent supply of inexpensive sugar to consumers. We have met that goal. Sugar is an important part of almost every food product. The U.S. sugar policy has provided food manufacturers with an unwavering supply of sugar without cost fluctuations. All consumers have benefited from this steady supply. The U.S. sugar policy has allowed producers in Wyoming and other States to provide for the country’s sugar needs without going out of business.

The Senator from New Hampshire claims the U.S. would be better served if we purchased our sugar from the world market. Mr. President, the prices for sugar on the world market are less expensive than the current U.S. sugar prices. It is important to note that the world market is a dump market. It is comprised of surplus sugar from subsidized countries.

Countries such as Mexico supply the world market. Mexico now has an average overproduction of 631,000 pounds. Even though 250,000 pounds of that surplus production is accepted into our market under the NAFTA side level, the Mexican Government recently bought and paid the debts on almost half of the sugar refineries in Mexico. If that is not subsidization, I don’t know what is.

I met with the folks from the Mexican Senate yesterday. They were in the United States to talk about sugar. I had to remind them of their overproduction, and if the world market opens up it will grow even greater. I had to talk to the NAFTA side letter so that our high fructose corn syrup can go to Mexico and eliminate some of the overage we have here. I know for a fact some of the people who served in this body at the time that NAFTA came up they voted for NAFTA on the basis of that side letter. That side letter is now not being recognized by the Mexican Government.

They are creating a crisis in America, a crisis in Wyoming. The sugar beet growers in Wyoming are working day and night to produce sugar to work, to make sure there is an even domestic supply. We shifted all of our energy supply overseas—not all, but a
good deal of it. You can see the crisis that this is causing at the present time in this country. Should we do that to sugar too; get rid of our local producers and have those countries in the other parts of the world ban together to control the price of sugar and make us pay through the nose for sugar? I don’t think that is a very good idea.

Our sugar producers in Wyoming are coming up with alternate ways to make their production work better. One of the ways they are doing that is to buy the refineries. They are not asking the Federal Government to buy the refineries. They are buying the refineries. They are forming co-ops and putting their land up against the refinery. Why? They get a little bit of profit off of the sugar, off of the production of the sugar. They will get another little bit of profit off of the refining of the sugar. If they can put together enough of the different layers that are presently going to other people, they will be able to make a living from the sugar.

Don’t be fooled by the glut of sugar in the world market. The price may be low now, but I guarantee that will change. As soon as the U.S. accepts this idea of putting what tends to begin from the world market, the price for sugar in that market will rise. We will be left at the mercy of the world market because our growers will no longer be in business.

In Wyoming alone, the Main Streets of at least four rural communities would become ghost towns. They will no longer be able to meet the needs of our own country. While sugar beets remain the No. 1 cash crop in Wyoming, the price farmers receive for their sugar is at a 20-year low. That shows the dire situation all agricultural producers are in this year. The companies that refine the sugar beets into sugar in Wyoming can no longer afford to remain in business.

The farmers in my State and others have banded together to try to purchase the refineries. They are attempting and fighting to do everything they can to remain viable and competitive. These are not farmers waiting for the U.S. Government to bail them out; they are fighting for their own future.

The Senate should defeat this amendment. We should continue to support sugar beet and sugarcane farmers just as we have for the other agricultural commodities in the United States. The sugar program portion of the total net outlays for all commodity programs from 1996 to 2001 was only 19 percent, a small cost to maintain a steady supply of sugar to our consumers and to provide for communities that rely on the sugar community.

This becomes a domino effect. We talked about the problem with airlines and how people rely on airlines. If you are in a small community, one of the four small communities in Wyoming that rely on sugar beets, when the industry goes down, the whole economy goes—I don’t care how well the airlines are flying. They are not asking for the United States to buy the sugar refineries as they have in Mexico. They are just asking for a fair chance at their economy and a little longer to develop these co-ops. I hope Members stick with us on the sugar amendment.

Mr. REID. Mr. President, I ask unanimous consent that following the statement of the Senator from Indiana, Senator BURKS be recognized for up to 15 minutes to make an opening statement; Senator CRAIG be recognized to speak up to 15 minutes on this amendment; and that I then be recognized. I will move to table the underlying Craig amendment.

Mr. LUGAR. Reserving the right to object, my understanding—perhaps someone can advise me—is that Senator GREGG wanted to make a final argument. Could the leader offer at least a proviso of time for Senator GREGG?

Mr. REID. That is appropriate, and I also ask unanimous consent that there be no intervening amendment prior to my motion to table.

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered.

The Senator from Indiana.

Mr. LUGAR. Mr. President, I rise in support of the amendment offered by my distinguished colleague from New Hampshire, Senator GREGG, which, as has been pointed out by all speakers, effectively eliminates the subsidies provided under the existing Federal sugar program.

Apropos of the comments made by my colleague from Wyoming, almost all farmers are supported by some program, as I attempted to point out this morning, and only about 40 percent of farmers in our country receive any benefits from all of these programs. I appreciate that colleagues find this difficult to believe, but nevertheless it is true. In the case of soybeans, the proportion that received subsidies provided under the existing Federal sugar program.

In essence, his amendment would phase out the so-called loan rate for sugar beets and sugarcane, reducing it to zero. Marketing allotments and quotas for both sugar beets and sugarcane would be eliminated beginning with the year 2003 crops. Senator GREGG’s proposal would make the funding offset of approximately $1.2 billion over the next 5 years, according to estimates, available to lift the shelter cap in place in the Food Stamp Program. So, in essence, Senator GREGG is moving this money, which is going disproportionately to very large sugar growers, to nutrition programs for the poor.

Eliminating this cap, as the Senator points out, will help a large number of families whose actual housing and utility costs put them in a situation of choosing between shelter and food.

This amendment, as we discussed my amendment, I chose to offer a solution of roughly doubling the amount of money over the course of 5 years in food programs. Senator GREGG goes about this in a different way, given the losses of my amendment this morning.

The Senate committee bill maintains, as it stands, many of the current sugar program provisions and, in fact, provides additional benefits that proponents have required as well. It eliminates the marketing assessment on sugar, reduces the CCC interest rate on pricing board loans, authorizes a payment-in-kind program, reestablishes
the no-net-cost feature of the program, and provides the Secretary with authority to implement allotments on domestic sugar production.

The loan forfeiture penalty on sugar also is eliminated. The taxpayer cost of all of this is expected to be about $330 million in mandatory new spending, above baseline, during the next 10 years. This is the CBO 10-year score.

I mention that because there has been some discussion. Whatever may be the merits or demerits of the sugar program, the costs to the taxpayers is de minimis. At least, a small sum. It is like taxes.

I wish to touch upon some of those problems as an illustration of some consequences. I wish to touch upon some of those problems as an illustration of some consequences in which the newly elected officials could be supported, they ran up against the fact that we restrict the amount of sugar imports to this country and restrict them rather severely.

A so-called sugar quota system occurred in the world, country by country—literally of how many pounds each country was allowed to ship to us. It mattered not what the price was. The same price. The effect is a de minimis. Albeit, a small sum. The country was allowed to ship to us. It was the same price.

The proponents of the sugar program point out that this is so-called dumped sugar and that what I and others don’t understand is countries and big users contract with each other. Presumably the idea is that they cannot buy sugar under a contract at a price below whatever is the price and the world price. However, for the domestic consumer of sugar—this includes others too—well beyond candy companies, those who are commercially involved in these operations—it would be attractive to consumers in the United States if they could consider the possibility of buying this dumped sugar. It is as inexpensive to buy this sugar as the sugar grown in the United States. Sugar producers say that would be unfair because our production costs are well above that cost.

The proponents of the sugar program point out that this is so-called dumped sugar and that what I and others don’t understand is countries and big users contract with each other. Presumably the idea is that they could not get sugar under a contract at a price below whatever is the price and the world price. However, for the domestic consumer of sugar—this includes others too—well beyond candy companies, those who are commercially involved in these operations—it would be attractive to consumers in the United States if they could consider the possibility of buying this dumped sugar. It is as inexpensive to buy this sugar as the sugar grown in the United States. Sugar producers say that would be unfair because our production costs are well above that cost.

The proponents of the sugar program point out that this is so-called dumped sugar and that what I and others don’t understand is countries and big users contract with each other. Presumably the idea is that they could not get sugar under a contract at a price below whatever is the price and the world price. However, for the domestic consumer of sugar—this includes others too—well beyond candy companies, those who are commercially involved in these operations—it would be attractive to consumers in the United States if they could consider the possibility of buying this dumped sugar. It is as inexpensive to buy this sugar as the sugar grown in the United States. Sugar producers say that would be unfair because our production costs are well above that cost.

The proponents of the sugar program point out that this is so-called dumped sugar and that what I and others don’t understand is countries and big users contract with each other. Presumably the idea is that they could not get sugar under a contract at a price below whatever is the price and the world price. However, for the domestic consumer of sugar—this includes others too—well beyond candy companies, those who are commercially involved in these operations—it would be attractive to consumers in the United States if they could consider the possibility of buying this dumped sugar. It is as inexpensive to buy this sugar as the sugar grown in the United States. Sugar producers say that would be unfair because our production costs are well above that cost.
issue clearly. So should we as consumers understand the issue of sugar, a common substance used by most of us. I am saying in terms of our standard of living that our situation would be enhanced. It would be a tax cut through the Gregg amendment.

For the moment, however, imports are restricted through quotas that are among the last remaining protection barriers in U.S. trade law. That, of course, means even with our barrier with Mexico with whom we thought we had reduced the barrier—the whole purpose of NAFTA—and despite claims that the sugar program operated at no net cost in fiscal 2000, the sugar program cost the taxpayers—not consumers but taxpayers—$465 million, according to the U.S. Department of Agriculture. That is a substantial sum of money.

Furthermore, as we have heard, the Federal Government ended fiscal year 2001, the last year we were in, owning 1 million tons of surplus sugar, some of which is now given back to producers as payment for plowing up their growing crops. USDA projects that by decade’s end, the Government will own not 1 million but 2 million tons of surplus sugar, some of which will be sold to Cuba.

Thus, as a result of that debate, and in part because many of us in the Nation as a whole believed that this is a very important environmental project, the Congress has come into it in a big way to try to work with those in the State of Florida who still, in a fairly modest way, are trying to wind up the worst of the predicaments and wrestle with the history of the past.

Let me just make the point, Members who are thoughtful about this sugar amendment need to think about the economic consequences. I appreciate it is the Everglades, not North Dakota or Minnesota or sugar beets in the North. One cannot describe the same environmental catastrophes to those, and yet they are caught in the same economic problem. But we really need to consider the expenditures that are now going to be involved as the Congress, the President, and others, including the Governor of Florida, have become not only aware but determined, really, to turn around the course of history which ecologically has been disastrous in this situation.

Clearly, we ought not to be doing, in this bill, what we are doing. I fear, with almost every other crop; that is, offering incentives for more production. And that, I fear, we are doing again here. One can say that, after all, what is sauce for the goose is sauce for the gander. If you are going to offer more incentives to corn farmers to plant more corn, why be sparing with regard to the sugar brethren at this point?

I suppose there is a certain rough equity. If you are planning to simply overproduce everything, then, perhaps, consistency gets in the way here. But I would suggest that would be a mistake not only with regard to the sugar program but clearly with regard to the ecological and environmental consequences.

The right move is to wind up the sugar program. Members have pointed out such amendments have been offered seemingly for time in memorial. During the 25 years I have served on the committee, I cannot remember how many sugar amendments have arisen, but they have come frequently, at least one every farm bill, usually with great discouragement to the proponents.

I believe three farm bills back, if memory serves me right, a modest proposal came during the markup around the Agriculture Committee table. A Senator offered a suggestion that the loan rate be reduced by 2 cents. I think even in those days it was 18 cents or 16 cents. The suggestion was 2 cents be subtracted from that. That was roundly defeated. If it got three votes, that may overstate it. How could this be? Why such support of a reduction of such a modest amount?

The fact is, around the table in the Agriculture Committee—and this is...
not news to the Senator from Delaware—many of us who are deeply interested in the crops and in the agricultural practices in our States have a feeling we have come to that table to protect whatever is there. Sometimes that works for Members. The case is tougher and tougher to defend as the years go on, but that does not deter most. Apologetically, we will say: I have to do what I have to do. I can be a statesman somewhere else, but not when I come to a sugar or peanuts or tobacco or even corn.

I understand that. As a result, what I often have observed, in 25 years, is that those who have something to protect, as a matter of fact, make up a very large majority of us around the table. The situation would be—I think simplicity may be overstating this, but, essentially, if you are there to protect tobacco, you call upon your brethren who are protecting sugar or protecting peanuts or wool and mohair or indigo or honey. Then the question is: are they all—be—all of these programs have been highly suspect for years. From time to time, some have actually been wound up. There was good fortune in this respect a couple of farm bills ago when I think we finished the honey program. Wool and mohair certainly was gone, but it reappeared, not because of a farm bill but in the dead of night, in an appropriations bill at the end of a session, such as now, the proponents have manure. So even around the table, when we make reforms, they do not necessarily stick. Therefore, I admire the courage, the foresight, statesmanship, and the wisdom of the Senator from New Hampshire in trying again today.

He has offered a constructive amendment which is good for America. At some point we really have to think about that. We can become so parochial and so narrow in our focus that we believe that a very few growers of any crop, whether it be sugar or something else, are worthy of our utmost attention.

But Americans generally listening to this debate, I believe, will find the equation I have offered a reasonable one; namely, we welcome the so-called dumping of oil by Saudi Arabia and others; we welcome the lower price of gasoline because our cost of living situation is helped. We would welcome, in my judgment, the price of sugar, and that is the world price. We would welcome the fulfillment of our agreement with Mexico because that is so important not only with regard to agriculture but with regard to general trade and prosperity with our neighbor to the south as well as an enhanced standard of living in this country. And we welcome fulfillment of our WTO obligations because all of us want to export more of the things we do well in our States.

We cannot withhold our obligations to recognize that in other places sometimes people do things well also, and our consumers benefit from those laws of trade.

I call for support of the Gregg amendment and yield the floor.

The PRESIDING OFFICER. Under the previous order, the Senator from Montana is recognized for 15 minutes.

Mr. BURNS. Mr. President, it is hard to follow the Senator from Montana because he makes his argument so sound that it is hard to argue with him. I look upon the support we give American agriculture, no matter what segment, as an insurance policy.

The figure was that the sugar program costs the American taxpayers some $600 million a year, something like that. That is in the neighborhood. That may not be correct. That is less than $1.60 per American. I can’t insure my car for that price. What we are talking about here is that even though sugar prices go down, we still see prices of those products that have a high proportion of sugar in them continue to go up. That is the record. It is there for all to see.

If one looks at the total picture of $73 billion a year we put into the agriculture budget, one has to remember that over half of that is programs on nutrition, food stamps, WIC, many others, meals on wheels, school lunch programs. It is an insurance policy to the American taxpayer. The rest of it is farm programs and the administration of those farm programs.

I look at it as an insurance policy. No other country in the world has a management of this size and scope. Americans have to agree with me that when you go into a grocery store, there is a variety of anything you want to eat. I realize that maybe we don’t look upon that as an important thing, but the second thing we do every day when we get up is eat. I don’t know what the first thing you do is; that is up to you. But we all need it. We would like to have a little insurance and a little security in the food we buy both from a quality and quantity standpoint. We would like to do that.

You can buy your meat, prepare it any way you want. Same thing with your fresh fruits and vegetables. This is just about the only country in the world, that has fresh vegetables even in the northern tier of States. When there is blowing snow outside, we can still buy fresh lettuce and vegetables. It is an infrastructure and a distribution system that is unmatched in the world.

Getting back to farmer income, for many years the so-called production level, lived on 15 to 20 cents—a fact that varied—of the consumer dollar. That was very ably pointed out. That is not true.

If we had assurance that we could do a lot of things and provide food for those who are in need—that is what this does, and it makes it affordable. Sugar producers did put forth a plan for why inventory management is the plan for sugar. It also saves on the Government side whenever we start talking about nutrition programs and programs that we are willing, as Americans, to provide those who are in need. Nobody ever thinks about those savings.

Senator from New Hampshire generally thinks about how much it sold and the difference. If we lost a little money, then that takes that so-called—everybody hates this word—subsidy number way when it comes time to write the check, not near as many of those dollars and pennies filter down to the American farmer. Think about this: When you buy a loaf of bread, less than a nickel’s worth of wheat is in it. All of that wheat, the rest of it, the other 99% of the wheat, the other 99% of the income for the American farmer comes from trade negotiations and trade agreements that we implement— not trying to overproduce here in the United States, but it is mandatory. It comes to about 15 to 20 percent of our total production is mandatorily put on our market. If we look at the surplus, that is just about our surplus.

We can talk about numbers and figures. In fact, we can swim in those numbers and figures. But at some time we have to take a real look at the men who are on the ground in charge of producing their crops. They are the ones. It is on their backs that this good economy operates. We don’t spend 50, 60, 70, or 80 percent of our income just to put a meal on the table. We do it for less than 20 cents.

We can ensure that supply of quality and quantity, and also prepared in any way that you want, there has to be some sort of an insurance policy that that, too, will remain. We have bigger things to argue about in this country than this sugar program, and it is what it costs. In fact, the cost, when you compare it to the rest of the economy, is nothing.

We could talk about food safety. We could talk about terrorism and its impact on our ability to move food from the producer to the table.

That is what we are talking about here. It is an industry that should be allowed to survive. Sugar producers did put forth a plan for why inventory management is the plan for sugar farmers, consumers, and taxpayers. Let’s not get caught up in saying that if we take away a sugar program, the cost will go down to the consuming public, when the figures bear out that it is not true. That was very ably pointed out. That is not true.

If we had assurance that we could do a lot of things and provide food for those who are in need—that is what this does, and it makes it affordable. Sugar producers did put forth a plan for why inventory management is the plan for sugar. It also saves on the Government side whenever we start talking about nutrition programs and programs that we are willing, as Americans, to provide those who are in need. Nobody ever thinks about those savings.

Senator from New Hampshire generally thinks about how much it sold and the difference. If we lost a little money, then that takes that so-called—everybody hates this word—subsidy number way
We have seen cattle prices a little bit better now, but we haven't seen a great boom on the farm or ranch through this great economic recovery we came through. We did see our cost of production escalating. For everything we bought, prices went up because of the last boom. I hope we will table this amendment and not send the wrong signal to agriculture and the American people that, yes, we like the insurance policy that we have and that security.

I yield the floor and yield back the remainder of my time.

The PRESIDING OFFICER. Under the previous order, the Senator from Idaho is recognized for 15 minutes.

Mr. CRAIG. Mr. President, debate on the Gregg amendment to the Harkin farm bill is nearly at an end. We have had an ample period of time to discuss the pros and cons of a national sugar policy, the pros and cons of the beet caner farmer in the great North, Northwest, or the South, but also a sugar policy for the American consumer, who has seen very stable sugar prices for weeks.

What I have recognized in my years of involvement with this issue is that the producing side of the sugar industry is very willing to create a dynamic program that does not cost the American taxpayer, create a stability of price both at the farm level and also at the manufacturing level and, ultimately, the consumer level. That has been the historic pattern of a sugar policy, except for just the last 2 years.

In fact, over the course of the last decade, this program has not cost the American taxpayer any money. It has returned money to the Treasury of the United States. In fact, it has made monies available to the producer of acquiring from the market, holding, and ultimately entering the market with the product that has served us well.

There is now a large supply of sugar worldwide in the United States. We have seen some efforts of importers outside and inside our country to try to avoid the 15-percent volume level we allow coming into this country. Some have argued that if you kill the program, down comes the price and the consumer benefits. Ironically, that just isn't true. The price is now down well below what it was a few years ago. Yet the price of a product that has substantial sweetener in it—sugar. I should say that there are other forms of sweetener—hasn't gone down; it has gone up. Nearly 80 percent of the price of any food product on the market today is not the food itself; it is the cost of labor, the cost of processing, and packaging, and marketing and shelving. All of that goes into the price the consumer pays.

So when a less than 20-percent item in the overall cost of a product declines, as other costs of input are going up, you get a difference. And, in many instances, there is an increase, as some have talked about in the Chamber this afternoon.

In the Harkin bill that is before us, in a substitute that will be offered, known as the Cochran-Roberts bill, the sugar industry, working with the Congress in shaping the new policy, has recognized again the need to change, to be dynamic; we need only to compete to the requirements but also to deal with the consumer and make sure the consumer gets a reasonable shake and the producer gets stability in the market.

The sugar titles in both the House and Senate proposed farm bills direct the Secretary of Agriculture to operate the U.S. sugar policy “at no cost to the Federal Government by avoiding the forfeiture of sugar to the Commodity Credit Corporation.”

It is that forfeiture that some have seized on today that has only happened twice in a period of well over a decade that we want to get away from.

For somebody to suggest there is going to be a good deal of money to go into some of the new agriculture policy or the bill or the appropriations, that just is not the case. The new farm bill will restore to the Secretary of Agriculture a key authority that was suspended in the 1986 farm bill. The authority to limit domestic sugar sales during times of surplus through flexible marketing allotments.

The bill also grants the Secretary the authority to reduce Government sugar stocks and the potential for future loan forfeitures by setting bids for Government sugar in return for reducing future production.

The United States is required, as I mentioned earlier in the debate, to import 1.5 million tons of sugar, or about 15 percent of its consumption each year, whether the U.S. market requires that sugar or not.

In addition, unneeded sugar has entered the U.S. market—again, something mentioned by myself and others. We have been able to avoid the market quota in creative ways, what we call stuffing or the stuffing of the product. Because of the special concessions of NAFTA and the concessions to Mexico combined with this stuffing effort, we go beyond the 15 percent of total U.S. consumption or the 1.5 million tons.

The Secretary’s current lack of ability to limit domestic supplies in the face of large and relatively uncontrolled imports resulted last year in historically low sugar prices and the first significant sugar loan forfeiture in nearly two decades.

Once again, none of that translated to the market shelf; none of it translated to the consumer’s pocketbook; all of it translated to the bottom line of the processor and the confectioners, and their profits went up at the cost of the consumer and not at the profit of the farmer.

Under the new farm bill, sugar marketing allotments will be automatically be in place unless triggered by a high level of imports greater than 1.532 million short tons. With domestic sugar supplies under control, we believe the
Secretary will be able to balance market supply and demand and ensure market price sufficient to avoid sugar loan forfeiture and any Government costs.

The Congressional Budget Office scoring, had it predicted the no-cost sugar policy, however, shows a modest cost. I recognize that even though it is clearly the intent and the purpose of the legislation not to have that.

Since CBO cannot assume other policy of just assuring that the import quota circumvention problems will persist, that U.S. sugar imports will be high, and that marketing allotments in other years will not be triggered, and absent marketing allotments, sugar loan forfeitures might occur again.

Remember, I keep talking about the flow of product into the market. That is part of that world sugar my colleagues from New Hampshire talks about, exposing well over 15 percent of the U.S. domestic market to the availability of that world product.

The industry, however, is convinced that policy changes will occur to rectify the import quota circumvention problems. We have had court tests in our favor. We are working now to block the ability of importers to stuff product with the hope of pulling that sugar out and entering it into the market. A successful U.S. Court of Appeals ruling, as I mentioned, has halted circumvention of the import sugar quota by a product entering through Canada and, as we know, it is called stuffed molasses.

Legislation is pending in the Senate, of which I am a coauthor, that addresses the circumvention problem. I hope we can move it. I hope all will join us to disallow that kind of illegal act.

I believe that brings the debate full circle. The Senator from New Hampshire worries and wants to eliminate the existing program. We are concerned about the taxpayer and want to recreate the program in a way that not only protects the producer and stabilizes the market, and opposes the program and offers the consumer stable prices in the market. We believe what we are offering today, what the Senator from New Hampshire is trying to strike, can accomplish that purpose.

I ask my colleagues to join us in voting to table the Gregg amendment and to give the adjusted policy, again, the opportunity to work its will in the market with the producer, with the consumer, to the advantage of all.

I yield the remainder of my time.

Mr. Gregg. I thank the Chair.

Mr. President, we have heard a lot of debate on this program. I must take exception to some of the things said by the opposition because it appears they are inconsistent with the facts.

For example, the representation that this program is not going to continue to cost the taxpayers money is one which is not supported by the facts. In fact, USDA, which is responsible for the agricultural products of this country—has said we will purchase close to 4 million tons of sugar over the next decade. Where we are going to put this, we do not know—somebody's garage. I guess—and that will cost us $1.6 billion in tax revenue. So this is an expensive program. And if it is going to be integrated into a marketplace concept, we will save the taxpayers those dollars, which dollars under this amendment can be used to assist people who are on food stamps who are trying to buy staples to live a decent life and have adequate nutrition.

Secondly, the point was made, and I do not understand the concept here, that foreign sugar is coming in through the back door, and that is clearly affecting the availability of sugar in this country, and that is what we have to stop. Why do you think it is coming in? It is coming in because the price of sugar in this country is so absurdly high.

You can actually go through the huge exercise of taking molasses, spiking it in some other country, then shipping it into our country and refining it, and you are going to produce sugar that is dramatically less in cost than what it costs the American consumer to get sugar because we have this price which is 2½ to 3 times the going market rate of the sugar—22 cents and 18 cents versus about 9 cents. It is as if they are saying: The marketplace actually might work, but we are not going to allow it to work. If there is anything that shows that we can reduce the price of sugar to the American people, it is the fact people are willing to go through this huge machination to get sugar into this country, around all the barriers the sugar producers have produced. It is counterintuitive at the extreme to me.

This debate comes down to a very simple fact, which is this: 42 percent of the revenues and the benefit of this program are going to 1 percent of the farmers, but all the American people are paying $1.9 billion in extra cost to support that program. The price of sugar is 2½ to 3 times the cost on the world market because we are trying to benefit a very narrow group of people who are very effective constituencies, I say effectively as constituents but clearly have no equity to their argument. As a practical matter, they are reaching into the pockets of the American people and taking dollars out of those pockets which would otherwise be used to purchase more food or better commodities.

It is a program which is totally counter to everything for which we as a capitalist, market-oriented society stand. It cannot be justified under any scenario other than it represents the power of one interest group to benefit at the expense of the American people and the American consumer.

I greatly appreciate the statement of the Senator from Indiana who knows more about agricultural policy than I will ever know, who forgot more about agricultural policy than I will ever know. In his support of the amendment he gave one of the clearest statements as to why this program is such a disaster from a standpoint of economics and from a standpoint of production and from a standpoint of its impact on the consumers of America and from a standpoint of its impact on the American taxpayer. I thank him for his support of this amendment. I hope people will listen to his logic and his reason and oppose the motion to table this amendment, which I understand is going to now be made by the assistant leader.

I yield the floor.

The PRESIDING OFFICER. The Senator from Nevada.

Mr. Reid. Would the Senator have any objection to the manager of the bill speaking for 3 minutes prior to the vote?

Mr. Gregg. I have no objection.

Mr. Reid. Would the Senator be recognized for 3 minutes?

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

Mr. Harkin. Mr. President, I have not had anything to say about this amendment yet. I point out sugar is so cheap in this country you cannot believe it. It is cheap for the consumers buying it in the store. It is cheap when you go out to eat. The people who benefit the most from the Gregg amendment would be the manufacturers. They are not going to pass this on to the consumer. No way.

We want to keep our sugar farmers in business; 420,000 Americans are employed in the sugar industry. It would ruin them. It would ruin our corn sweetener market, further depressing extremely low corn prices in my part of the country. This is wrapped up in a lot more than just what the price of sugar is to the Senator from New Hampshire. They are going to take it. I have always said sugar is probably one of the cheapest products anywhere for consumers.

Here is a bag of sugar, Holly Sugar. I am not pushing Holly Sugar, but that is what I happen to have. They are little bags of sugar. How expensive is this sugar? Go into any restaurant and take the sugar, put it in a glass, in your coffee; you can take two bags of sugar and put it in your coffee. Do you know what the price is? Nothing. It is so cheap that the restaurants do not even charge for it. Next time you go to a restaurant, have a cup of coffee, reach over and grab the bowl of sugar and put in a couple of teaspoons. They don’t even charge you because it is so cheap.

There has been a lot of talk in the Chamber about the sugar products. Sugar is one of the best buys for the American consumer today. A 5-pound bag of sugar at Safeway is $2.

They all say the consumer and give more to the processors and the candy manufacturers and everybody else, then you want to vote for
the amendment of Senator GREGG. If you want to help the sugar farmers and the 420,000 Americans who work in the sugar industry and corn farmers all over America who depend upon this, we ought to defeat the Gregg amendment. I point out on July 29, 2000, we had the same basic amendment before the Senate. It was defeated 65–32. I hope the same happens again today.

I yield the floor.

The PRESIDING OFFICER. The Senator from Nevada.

Mr. REID. I move to table the Gregg amendment, and I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second? There is a sufficient second.

The question is on agreeing to the motion. The clerk will call the roll.

The legislative clerk called the roll.

The result was announced—yeas 71, nays 29, as follows:

[Rollcall Vote No. 364 Leg.]

YEAS—71

Akaka                   Dayton                   Lincoln
Allard                  Dodd                     Lott
Allen                   Domenici                  McNnell
Baucus                  Dorgan                    Mikulski
Bayh                    Durbin                    Miller
Benning                 Edwards                   Murkowski
Bingaman                Erleney                   Murray
Bond                    Graham                    Nelson (FL)
Boxer                   Grassley                   Nelson (NE)
Breaux                  Harkin                    Roberts
Bunning                 Hatch                    Rockefeller
Byrd                    Hollings                   Shelby
Cantwell                Hatchison                  Smith (OR)
Carnahan                Inhofe                    Sessions
Campbell                Hollings                   Shelby
Carnahan                Hutchinson                  Smith (MO)
Carnahan                Inhofe                    Sessions
Carper                  Inouye                    Stevens
Cleland                 Jeffords                   Thomas
Clinton                 Johnson                   Thurmond
Conrad                   Kerry                      Torricelli
Conrad                   Landrieu                   Warner
Craig                    Leahy                     Weilstone
Crano                   Levin                     Wyden
Daschle                  Lieberman

NAYS—29

Biden                   Brownback                  Gramm                   Santorum
Brownback                Frist                     Reed
Collins                  Chafee                    Gregg                   Sarbanes
Collins                  Richardson                Schemel
Corzine                  Kennedy                   Smith (NH)
DeWine                   Kohl                      Snow
Emerson                  Kyl                       Specter
Feingold                 Logar                     Thompson
Feinstein                McCain                   Voinovich
Fitzgerald               Nieves

The motion was agreed to.

Mr. HARKIN. I move to reconsider the vote and I move to lay that motion on the table.

The motion to lay on the table was agreed to.

The PRESIDING OFFICER. The Senator from Iowa.

Mr. HARKIN. Mr. President, we are making headway. We are making good progress. I thank the people who are offering these amendments. We have had good debates. We are making real progress. We hope to have more votes today and get this bill completed.

I understand Senator DOMENICI has an amendment he will be offering in a couple minutes. With that, I hope Senators will be ready to offer amendments. I hope we can have some time agreements and move through them. I hope we will have another vote very shortly.

The PRESIDING OFFICER. The Senator from Indiana.

Mr. LUGAR. Mr. President, I appreciate the words, as always, of our chairman. My understanding is, in a couple minutes Senator Domenici will offer an amendment. After disposition of the Domenici amendment, we are anticipating an amendment to be offered by Senator BOND, and then, following that, an amendment by Senator MCCAIN.

In the meanwhile, amendments might come from the other side of the aisle. But these three amendments are known quantities with the Members who wish to be recognized as we dispose of the amendments.

I thank the Chair and yield the floor.

I suggest the absence of a quorum.

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

AMENDMENT NO. 2502 TO AMENDMENT NO. 2471

Mr. DOMENICI. Mr. President, I am going to offer an amendment on behalf of seven or eight Senators. I will name them in a moment. For the interest of the Senators, my discussion about this amendment will probably take about a half hour, and then I understand about five or six Senators would like to speak. Nobody will be speaking extremely long, but we think this is a very important issue. More than just the Senator from New Mexico are desirous of being heard on this amendment.

I send the amendment to the desk and ask for its immediate consideration. I offer this on behalf of myself, Senators CRAIG, CRAPO, BURNS, HUTCHISON, ENZI, THOMAS, KYL, SMITH OF Oregon, and CAMPBELL. I have submitted it to other Senators. I fully expect more to join soon. I send it to the desk with those cosponsors at this point. As I receive others, I will submit them.

The PRESIDING OFFICER. The clerk will report.

The bill clerk reads as follows:

The Senator from New Mexico [Mr. DOMENICI], for himself, Mr. CRAIG, Mr. BURNS, Mr. CRAPO, Mrs. HUTCHISON, Mr. ENZI, Mr. THOMAS, Mr. KYL, Mr. SMITH OF Oregon, Mr. HATCH, Mr. ALLARD, and Mr. CAMPBELL, proposes an amendment No. 2502 to amendment No. 2471.

Mr. DOMENICI. Mr. President, I ask unanimous consent that reading of the amendment be dispensed with.

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

The amendment is as follows:

(Purpose: To strike the water conservation program)

On page 202, strike lines 14 through 22 and insert the following: "technical assistance"

Congressional Record — Senate December 12, 2001
Secretary of Agriculture will give high priority to these lands that are going into this reserve, if they have water rights along with them.

The purpose of the old program was to remove vulnerable land from production, not for the acquisition of water rights. Everybody here who has praised the conservation reserve program praised it because it removed vulnerable acreage from production and it had no higher purpose. Now we have established a brand new higher priority, and that is to acquire land if it has water rights.

In essence, this is an attempt to prioritize private water rights from individuals for purely Federal interests. Allowing the Secretary of Agriculture to permanently acquire these water rights gives the Federal Government control over State water.

I don’t think we ought to do this. I wish I would have had a chance to sit down and talk to people and discuss this approach with those who have put it in this Agriculture bill, including my good friend Harry Reid. I don’t think western Senators, when confronted with their constituents and asked by their constituents in water-short States how this would be put together, would be able to create a high-priority program that could take those water rights as part of a conservation reserve program and attribute them to the Federal Government so the Federal Government could use them for a purpose governed by Federal law in our State. Many States in the western States are along-side of rivers, be it the Rio Grande or the Pecos. We don’t have enough water for the current uses under existing State law, which is a water rights system built upon first in use and application.

The first in time that does that is first in time in terms of ownership and priority. That is an already existing system. It has existed under Spanish law in our State. Many States in the West have first in time of use, which creates first in right for waters along streams.

But in the East there are many Senators who are going to say: This doesn’t have anything to do with us. They are probably right. They don’t have any shortage of water. In fact, many of the Eastern States do not have this allocation method. They use what is referred to in law school as the riparian rights system. If you are alongside of a stream, you use the water alongside the stream. Not so in States such as mine and Arizona and the others, Idaho, Iowa, Oregon. You use the water in proportion to your having taken it from the stream and put it to a beneficial use. In the Western States, that is either constitutionally established or statutorily established, but it is powerful proprietary interest in situations up and down and across our borders as water becomes more and more scarce.

In essence, all I choose to do in this amendment, and I hope that the various Senators I have just named, is to say at the end of the session we should not be considering a change in water rights for the West.

(Ms. STABENOW assumed the chair.)

I urge the Senator from Minnesota. Where is Senator Stabenow? Ms. STABENOW [of Minnesota]: I urge the Secretary of Agriculture to help us by just taking this out of the bill and saying another time, another place, we will have some significant hearings. Let’s hear from our States and our communities, and let’s hear from water ownership districts and associations, be they in Wyoming, New Mexico, or wherever. Let’s hear from them and let’s see how inserting this new bargaining chip in the middle of a river basin might have either a negative or positive effect.

I actually believe we do not need in the basins of New Mexico—where water rights have not been part of any hearings in the appropriate committees. As a matter of fact, I am not sure but that these provisions would have been subject to the jurisdiction of the other committees besides Agriculture. I believe the Agriculture Committee would have liked to look at this new language in terms of new priorities and new rights.

So this is an attempt on my part not to change but to just strike these provisions. I don’t have amendments to the provisions crafted on behalf of Senator REID, or whomever, and put in this bill. I don’t think we ought to do them tonight on an agriculture bill, when it could have a profound impact on water rights. We have certain groups that maybe can’t get all the water they want in our States, for what they see as important uses. They have come along and said maybe we can do it this way; we can let the Secretary of Agriculture acquire these water rights as part of an old program that had nothing to do with acquiring water rights but had to do with acquiring properties to be put in a reserve so that we would have a better chance for these properties and these lands to develop a conservation reserve program if they are taken out of use and put into a reserve. Now nobody has found that we can take a piece of that and grab with it water rights and then let the Federal Government decide how to use them under Federal law, not State law. Changing the program—this old, good, solid program, the CRP program—could force many farmers to choose not to participate in the program for fear that they could be coerced into giving up their water rights.

I don’t think this is the right thing to do. I don’t believe we are anywhere close to correct in assuming that this bill could have a higher priority for the CRP in the future. I cannot believe that of all the uses out there that go along with the CRP, Conservation Reserve Program, that we could establish without any serious and significant hearings that the Secretary of Agriculture—a new person in this equation, as it used to be the Secretary of the Interior. Now we have added the Secretary of Agriculture in this bill, and I don’t think that is a move we should have made without significant hearings ever, but this would be worse.

So I close my first round on the Senate floor by asking my distinguished friend, Senator REID, if he will consider taking these provisions out of this bill. I don’t believe they belong here at this time, and I believe we have an opportunity for significant hearings regarding the subject, and when it is clear and obvious to this Senator that we are going to give the Secretary of Agriculture a whole new series of rights to take water, I would have thought if we were going to make such a change or imposition on State law as it pertains to water, we would have gone a little slower and would not have come up with an agriculture bill where these water rights have not been part of any hearings in the appropriate committees. As a matter of fact, I am not sure but that these provisions would have been subject to the jurisdiction of the other committees besides Agriculture. I believe the Resources Committee would have liked to look at this new language in terms of new priorities and new rights.

So this is an attempt on my part not to change but to just strike these provisions. I don’t have amendments to the provisions crafted on behalf of Senator REID, or whomever, and put in this bill. I don’t think we ought to do them tonight on an agriculture bill, when it could have a profound impact on water rights. We have certain groups that maybe can’t get all the water they want in our States, for what they see as important uses. They have come along and said maybe we can do it this way; we can let the Secretary of Agriculture acquire these water rights as part of an old program that had nothing to do with acquiring water rights but had to do with acquiring properties to be put in a reserve so that we would have a better chance for these properties and these lands to develop a conservation reserve program if they are taken out of use and put into a reserve. Now nobody has found that we can take a piece of that and grab with it.
work on many issues with my distinguished friend, Senator Reid from Nevada. We are chair and ranking members on an appropriations subcommittee that does a lot of great things. We understand each other very well. I actually didn’t know anything was wrong with legislation that included my friend, Senator Reid, that would change or have the potential for changing the water rights priorities from State priorities to an imposition of Federal priorities on river basins that don’t have enough water from those rights already exist and that are being applied under State law.

Mr. NICKLES. Will the Senator yield?

Mr. DOMENICI. Yes, I will.

Mr. NICKLES. Will the Senator be kind enough to add me as a cosponsor?

Mr. DOMENICI. I am delighted to do that. I yield the floor at this point.

Mr. REID. Madam President, I am happy to respond to my friend from New Mexico. However, there are a number of myths. A myth is something which I guess takes a long time to perpertuate, so maybe we will not call these full-blown myths, but there is some misinformation the Senator has been spreading.

I will talk about the first myth: Some claim that the water conservation program will preempt State law and allow the Federal Government to run water law in the States. That is simply not true. It does not preempt State water law. Any application to enroll in the program would have to be approved by the State in which the farmer farms. For example, if a rancher in Nevada decided he or she wanted to be part of this program and the Department of Agriculture decided it was a good deal, they would have to go to Mike Turnipseed, Nevada’s water engineer, and if he said no deal, there would be no deal. All this talk of coercion is without logic.

I find, and I say with respect to the senior Senator from New Mexico, when we have legislation and there are not any meritorious arguments against it, the first thing one says is there is another committee that has jurisdiction or it has multiple committee jurisdiction. That has been raised in this debate.

The other argument continually raised when one does not have substantial good legislation is: We need more hearings. Whenever you hear that, it should trigger figuring out what the real merits of the opposition might be, and the merits of the opposition to this program are very weak.

Myth No. 1: The water conservation program would preempt State law and allow the Federal Government to run water law in the States. Not true. It does not preempt State water law.

Also, 41 million acres are in this big program. There are 4 million acres in the overall program. This little program Senator DOMENICI is talking about has 1.1 million acres. So 40 million acres basically are untouched by this.

Myth No. 2: The water conservation program would create a huge new Federal program to permanently buy water rights.

Fact—no fiction: 90 percent of the program is focused on short-term, 1- to 5-year contracts to lease water. Why do we focus on short-term leasing of water rights? We do it because, No. 1, leasing water for the short term keeps farmers in farming. After they have to deal with the Department of Agriculture for 1 year, they retain full ownership of their water.

No. 2, it provides a source of water for endangered species, for example, in drought years when other conflicts are very severe. That is when these conflicts come about dealing with endangered species, such as fish. It is because there is a shortage of water.

No. 3, it will provide a supplement to farmland in those times when there are face water supply restrictions due to Endangered Species Act concerns. This actually helps the farmers.

Keep in mind, this program requires a willing seller, a willing buyer, and we protect property rights. Why shouldn’t a rancher or farmer have the right to do with his property what he wishes?

Even if we say a willing seller and willing buyer, and that is what we have, they do not even have the ability to do that unless they get approval of the State water engineer, whether it is Wyoming, New Mexico, or Nevada. So all this talk about coercion is absolutely senseless.

Also, I would think my friends from the West would be happy for a change. We have a farm bill that gives help and actual money rather than verbiage to the western United States. That is what the conservation section in this bill is about. I have stood in this Chamber and I have been to press conferences with the chairman of this committee. One thing about Senator Harkin, in his legislative career in the House and the Senate, he has always been willing to do things that change the world in which we live for the better.

He, in this instance, has been willing to change the traditional way we do agriculture. That does not mean it is bad. It means it is wonderful; it is progressive. That is what this legislation is about. This legislation protects every farmer in the State of Iowa, but also it recognizes there are other parts of the country than the breadbasket of this country. Most of our groceries come from the State he represents and the States surrounding him.

The reason I have been willing to go forward with this legislation—and I say the whole bill. This is a big bill. I do not know how long the bill is, but it is big. We have a tiny little section, but I would vote for the bill anyway because I recognize what the Senator has done is excellent. There is more support for this legislation because it helps other parts of the country.

The people who are giving information, that the Senator from New Mexico is giving, and giving bad information. Senator Domenici is a smart man. He has been mayor of a city. He has been here longer than I have. But when he says this program coerces farmers and States, he is wrong, it does not do that: Willing seller and willing buyer. If a rancher does not want to do a deal it is his property. He does not have to do a deal.

Another myth: The water conservation program would undermine private property rights. I have touched on this a little bit. The water program is private property rights—that is, the program is supportive of private property rights. This is a willing seller-lessee program. A farmer decides whether or not to lease or sell his water rights. This is a willin property owner to decide what to do with their own land and their own water.

Let’s take, for example, the State of Nevada. I was telling someone the other day about Nevada; it is a huge State. It is the seventh largest State in the country by acre. From the tip of the State to the top of the State is 750 miles, maybe 800 miles. It is very wide, more than 500 miles in the north. Madam President, we have very little water. We share the Colorado River with a lot of States, and the mighty Colorado has done a great deal for the western part of the United States. Compare that with some of the rivers in the State of Michigan.

I will never forget when I first came to Washington, I went to Virginia on a congressional retreat. I said: This must be the ocean. It was a river. The river was more than a mile wide. We do not have rivers like that in Nevada. What people in the east call creeks we call rivers.

I would like to name some rivers in Nevada. We have the Colorado that we share. We have the tiny, little Walker River. It is so important to Nevada, but it is a tiny river. One can walk across it in most places some of the year. The Truckee River, which is so important to Reno and Sparks, it has an irrigation district at the end of it. It is also a tiny little river, and there are many times of the year we can walk right across the river in various places.

Carson River is a little river that runs hard in the spring. It is a wild river in the mountains, but it is a little river. Many rivers in Nevada have no water coming out of them.

We understand in Nevada what water is and what a shortage of water is, and I am not about to give away Nevada’s water. I understand, though, that if a rancher in Nevada has land and he has water which he owns, he should be able to do with it what he wants. If there is a program out of 41 million acres—we have been able to get a program that
has 1.1 million acres that allows this farmer, this rancher, for once, to do something with his property.

For example, I started talking about Nevada and I got carried away with my great State.

If it were in the Truckee River Basin in Nevada decided he would like to switch from growing alfalfa, a very intense water crop—and we grow a lot of it in Nevada, but it takes huge amounts of water—but he decides that he wants to grow native seed to help with restoration of ranchland in the Great Basin.

We had fires in the desert, especially in the high desert, and we need to have seed to plant there. If a farmer decided he wanted to switch and grow native seed, why shouldn’t he be able to go and say, I want to make a deal? We will lease your land for 2 years. We have saved the water. Something else can be done with it. It doesn’t sound like we are doing bad things.

In fact, it seems to me we are giving a property owner, for lack of a better description, more tools in his tool box with which to make money and provide for his family. We are doing the right thing.

I have heard the term “taking.” I know what a taking is. I am familiar in the Constitution that you cannot take a person’s private property without due compensation. This has nothing to do with that. If the rancher decides he does not want to do native seed, he simply does not grow it. No one will force him to do it. Once he and the department decide they want to do it, they still have to get approval of the State water engineer.

I had somebody call me today complaining about the program. I said: Tell me what is wrong with the program. Listen to what they said. I was stunned. They said: Well, if somebody decides with their own property—I am paraphrasing—to make a deal and lease it for a year, 2, 3, or 4, up to 5 years, what they are doing in parched, arid Nevada, they are saying if they do that and you take certain land out of agriculture, it changes the ground water. And what they are saying is, if you allow the water to go downriver, you are stopping people from drilling wells and pumping water because of the irrigation that takes place.

That doesn’t make very good sense for this legislation.

Let me give another example. We have a beautiful lake in Nevada. We have two lakes like it. They are called freshwater desert terminus lakes. They are freaks of nature. Pyramid Lake was basically saved after work in this body to save it. Pyramid Lake, because of the first ever Bureau of Reclamation project, was going dry. Lake Winnemucca, the overflow from Pyramid Lake, did dry up. It is as dry as the ground on which I stand. But we have a WM… called Walker Lake. It is in the middle of nowhere. It is in a place called Mineral County.

I have always carried Mineral County. On one occasion I was elected to the Senate I carried two counties: Clark County, where Las Vegas is, and Mineral County. I lost every other county in the State of Nevada. My way sticks with me. They have this big lake. There are only 28 lakes like Walker Lake and Pyramid Lake in the whole world. The lake has been drying up. We have been very fortunate in the last 7 years. We have had water and it has been able to get into the lake. About 6 or 7 years ago we had a year and a half to go before all the fish in the lake would be dead. It was so starved for new water. There are people who believe the lake is worth saving.

As I have indicated, we can do it and still take care of agriculture. There is an Indian reservation that depends on the water. Little tiny Walker River. We can handle that. We have to do things differently. We cannot do what we have done in the past because everyone will fail if that is the case.

Here is an example if somebody wanted to change their income and make more money, they go to native seed and do a deal with the Government. Some of the water would run into the lake and preserve that great natural beauty we have, Walker Lake. They should be able to do that. Or, the alternative is wait until we get into a real bad drought problem, and endangered species problem, and usually it filled. This is a way to avoid that or have money available to help solve the problems. There are places all over the Western United States that benefit from this.

I repeat. Farmers who choose not to participate in the program will not be hurt. Some farmers who choose to enter into short-term agreements to transfer water during drought years will actually benefit their colleague farmers who decide not to participate because if they have water for fish and drought years, it will ensure there is enough water for both farming and farmers and those who are dealing with the threatened and endangered species.

Mr. CRAPO. Will the Senator yield?

Mr. REID. I will be happy to at some point, but I have a statement that is quite long. If the Senator would be kind enough to keep track of the questions, I will be happy to explain.

Another myth the U.S. Department of Agriculture has no authority for businesses offering to help mitigate farmers for endangered species or other conflicts. Federal agencies have affirmative obligations. They have no choice under the Endangered Species Act to do all they can to conserve species.

I say to my friend from Idaho, his predecessor, now the Governor of Idaho, and I, Senator CHAFEE and Senator Baucus, had a great endangered species brought to the floor. For various reasons the then-majority leader, Senator LOTT, decided not to bring it up. We lost a great opportunity for a bipartisan revamping of the Endangered Species Act. We didn’t do that. It is too bad.

I talked to Senator Baucus earlier today about another subject and that came up. That was a good move we made. It is too bad the legislation did not become law.

All Federal agencies have affirmative obligation under the Endangered Species Act to do all they can to conserve species. When it comes to conserving endangered fish, agriculture and water is the main issue. This program will help USDA and the States help farmers and help mitigate these endangered species conflicts.

The Department of Agriculture is the perfect agency to interact with farmers in the conflicts. They trust the USDA more than, say, the Fish and Wildlife Service.

Mr. President, willing sellers, ending buyers—this legislation in this bill that the committee supported is legislation that is pro-private property. There is nothing that prevents a State from saying: I don’t like what you are doing. Farmer. You cannot change what you have been doing. The State water engineer has the right to do that.

The conservation title in this legislation is a very important new program to help mitigate the conflicts between farms and the environment. It is not only for that purpose; it is to give farmers and ranchers the ability to do things differently than they have in the past, to make money in a different way than in the past. It has nothing to do with making money. If they don’t want to do it, no one orders them to do it.

The controversies I talked about, which come up on occasion, usually come to a head in drought years when Endangered Species Act protections trump water over ranchers for farmers and ranchers. There is example after example. We had legislation here earlier this year. I don’t recall the exact date, but Senator SMITH from Oregon who takes his concern was going on. I don’t know his feelings on this legislation but if this legislation had been in effect when the problem started in Oregon there wouldn’t be the problems. Farmers would have some alternative. As I understand it, we have given them some financial relief. But they are in bad shape. This could have helped them.

These controversies result in some really difficult situations. Irrigation pumps providing water to farmers are on occasion cut off so threatened and endangered fish, for example, don’t go extinct. You may not like the endangered species law, but it is the law. You have to deal with it. You cannot avoid it.

When these conflicts reach this critical stage, there is not much we can do to alleviate the economic impact. This happens to ranchers and farmers and the economic ties to farming and ranching.

There is, in the West, a new West. When I was raised in Nevada, mining
and ranching were really big. They are still big, but the rest of my State has grown. Las Vegas has grown so much, 70 percent of the people live in that metropolitan area now. All the ranches and farms that were in Clark County are gone, and there may be a few people raising a little bit of hay for their horses, but basically it is gone now. So there is a new West, in the sense that there are things other than ranching and mining. That does not take away from the importance of these two industries. I have spoken on the floor for long periods of time defending mining. People say to me all the time—and people write nasty letters to the editor—asking, do I care somebody who says he is for the environment support mining?

I do it for a lot of reasons. One is my father was a miner. In fact, my staff brought to my attention yesterday some go off art and I found, going through the Library of Congress, I guess, out of curiosity about me. When I was 10 days old, my father was blasted—what we call blasting. He was working in a mine. The bad fuse caused the workplace protection that they have now. They lit the holes, one of the pieces of fuse ran, one of the holes went off, and of course blew him into the air, blew the soles off his shoes, blew out his light. He was in a vertical mine.

When they set off the holes, they have a ladder they can take up with them they call a sinking ladder. He was, I guess, in a state of shock. He tried to climb out of this hole. He didn’t realize one of the legs of the ladder had been blown off, so every time he tried to climb up, he would fall. He couldn’t figure it out.

It was a brave man who heard the hole going off and knew that he hadn’t come up to the next level. Knowing there were 10 other levels burning, this man named Carl Myers came down to that shaft—my dad was a bigger man than he—and carried my dad out of that mine. He received a Carnegie Medal for saving my dad’s life when I was 10 days old. That is when that incident took place.

So I defend mining for a lot of reasons. I do it for my father. I do it because it is good for Nevada. We have thousands and thousands—the best blue-collar jobs we have in Nevada relate to mining. I think a lot of people who complain about mining don’t know what they are talking about, for lack of a better description.

Ranching is important. Ranching doesn’t create a lot of jobs, but it creates a way of life that we should all envy. So that is why I do what I can to recognize that we need to have a new West, but we also have an old West that we need to protect. This legislation is about protecting the old West, keeping farmers and ranchers in business. Those people who are crying out in a shrill voice that this legislation hurts them, I do not believe that.

We need to create programs to help lessen conflicts in drought years. The water conservation program included in Chairman Harkin’s bill is the first tool we have in a Federal farm policy that actually addresses this problem. I commend him again and again for doing this. This legislation has support of people who had never supported this legislation before. I feel that there is some who are saying there are some ranchers and farmers who are being given bad information. They should be happy that we are trying to give them other tools, I say, in their toolbox, so that they can do things they have never been able to do before.

Again, I repeat for a fifth time: Willing sellers and willing buyers. If a rancher or farmer decides he wants to do something different and he has the ability to work something out with the Department of Agriculture, great. I hope they can do that. But if they do that and the State water engineer, rightly or wrongly, denies them the ability to go forward, that is his prerogative. The State water law is all about. And this legislation protects State water law.

Here is how this program works. It is very similar to a program farmers already are familiar with, which is extremely popular—the Conservation Reserve Program, CRP.

Under CRP, farmers enroll land in the farm, reducing farming on their land and improving wildlife habitat on other land. This is the law now. The farmer sells a commitment for participating for a 10- to 15-year contract term. That is the law now. We decided not to go for a 15-year contract period but for a 1- to 15-year contract period. Under the new Conservation Water Program, the one they are trying to strip from this bill, a farmer could enroll that land to a program and do farming on their land, but instead of facing the Wildlife improvement on the land, the farmer could agree to transfer the water associated with the land to provide water for all kinds of reasons.

Unlike the CRP, the Water Conservation Program would provide farmers with very flexible options and terms of how they would agree to transfer water. They can enter into contracts of 1 to 5 years, as I have said, with the Department of Agriculture, to provide water. This shorter contract term works for this program because what we are focused on in the program is not a building of a supply in years when there are threatened species or other problems arise because of the drought.

Farmers also can enter into option contracts with the USDA, where they would just give the Department of Agriculture an option on their water which would be exercised in a drought year. Again, the farmer makes money. Farmers would keep on farming unless or until the option were exercised.

The issue of transfer of water sometimes can be controversial for my colleagues. Some express concern this program will enable the Federal Government to buy water rights where a State does not want the rights sold. This simply is not true. It is simply not true. The program specifically provides that State water law is paramount. Under this program, a water transfer will not happen unless the State approves that transfer. This is because we understand this law. We are not changing State water law. But under the State law as it now exists, the State approves the transfer under its own law. In States where the water does not permit taking freshwater from these programs, the program simply couldn’t be used.

To show how sincere we are about this, we had a couple of staffers come to my staff and say: I am not sure my Senator wants part of this program.

Fine, we will opt you out. Oh, no, we don’t want to be opted out.

We gave them the alternative: If you don’t like it—I think you are losing a tremendous advantage for your agricultural community—we will opt you out.

They didn’t want that.

But there are some very good reasons that States should want to participate in the program and facilitate such transfers. Let me give but three reasons.

First, these transfers will help ensure that water is available for freshwater life during dry months, helping increase flows during historic times of scarce low water.

Second, protecting freshwater species is among the most important conservation objectives related to endangered species. This is the law.

Freshwater species are North America’s most endangered class. They are vanishing five times faster than North America’s mammals or birds and as quickly as tropical rain forest species. That is a matter of fact. Habitat loss and degradation are the single biggest threats to freshwater species in trouble. Inadequate streamflow is the largest habitat-related threat.

Third, a program which provides for flexible options for water transfers, not simply permanent acquisition, but short-term options will help mitigate farming in rough years and allow farmers to continue farming. It seems like a pretty good idea.

I am happy to yield for a question without my losing the floor to my friend the junior Senator who?

Mr. CRAPO. Madam President, the Senator talked about the fact this is based on a willing relationship. But if I understand the amendment correctly, it is willing only in the sense that any landowner who wanted to participate in the new CRP acreage that is authorized under the farm bill would be required to either temporarily or permanently yield his or her water rights or could simply choose not to participate in the new acreage.

The question is, is there any way for a landowner to participate in the acreage program for the CRP that is being expanded here without being required
by contract to yield up their water rights?

Mr. REID. No. But why would someone want that? Why should they have it both ways?

Mr. CRAPO. The response to that is the Government works very well. It is doing a lot of good for wildlife in the United States. It is not specifically focused on the acquisition of water rights. The expansion of the CRP, which we are trying to accomplish in this farm bill, will expand the successful operations of the CRP.

The concern I have and that many others have is the Senator is providing in his amendment that no landowner in America can participate in the expansion of the CRP without being required to yield their water rights. Although I realize that is voluntary in the sense they do not have to participate, it is not voluntary in the sense that a landowner wants to participate cannot do so without having to yield water rights.

Mr. REID. Madam President, as I have indicated, the program we are talking about is approximately 1 million acres out of 41 million acres. We are talking about 1 million acres which will alleviate some of the major operate problems we have in the West. It seems to me that breaking out of the curve a little bit is the way to go. I guess the Senator from Idaho might have a different philosophy. I think no one is being forced into doing anything. If they want to participate in the program subject to their wanting to do it—the Department of Agriculture acknowledging it is a good idea—then the State water authority can approve.

I think it is a pretty good deal. It is a small part of land. Some people have talked to me who do not understand the program. Once I explained it to them, they felt pretty good about it. A lot of people thought we were wiping out the other program. We are not.

Mr. CRAPO. Will the Senator yield for one additional question?

Mr. REID. I am happy to yield.

Mr. CRAPO. With regard to the issue of whether State law must be complied with in the transfer, let me ask the question. The additional question I wanted to raise is whether State law must be complied with in any transfer of water rights. In Idaho, as I am sure in many States, when a water right is transferred the State authority evaluates it and takes into account a number of considerations before they authorize the transfer. Will it injure any other water user rights? Are the priorities established in State law for the use of the water being met?

Is the Senator telling us that if a landowner wanted to participate and yield water rights in this new acreage that the State water law would still be applicable and the State authorities could say this does not fit the requirements of State law and prohibit that transfer?

Mr. REID. Let me, first of all, make sure I stated my previous answer properly. When I talked about 41 million acres, I want everyone to understand that as we increased 41 million acres and we increased that and set aside 1.1 million acres for this water conservation program.

In response to the Senator’s question, if State law whatever reason, decided under State law they didn’t want to do whatever the State authority is, it wouldn’t be done.

We have had a troubling situation with the Truckee River. I get so upset at that State engineer. I think sometimes he does not know what he is doing. He knows a lot more about water rights than I do. He has a right to do whatever he wants to do. This wouldn’t change that.

Mr. CRAPO. I appreciate that response from the Senator. I guess we have a disagreement on the level of voluntarism and whether it is appropriate in the CRP. I appreciate the Senator clarifying that.

The PRESIDING OFFICER. The Senator from New Mexico.

Mr. DOMENICI. Madam President, I understand the distinguished Senator from Montana wants to speak. I wanted to say to Senator Reid that I appreciate his compliments. When he opened up, he said I was smart because I was a mayor. I want the Senator to know that the fact I was a mayor doesn’t make me very smart.

Mr. REID. Can I respond briefly?

Mr. DOMENICI. Of course.

Mr. REID. Having worked with the Senator for the entire time I have been in the Senate, the fact that he was a mayor has certainly helped me understand why he knows so much about budgetary matters. No one works harder on the budget than a mayor.

Setting all of that aside, I don’t need to understand every qualification for everyone here to know how knowledgeable and how versed he is on legislative matters. He has a great educational background. He is a good athlete. He is a fine man. The fact that he was a mayor only adds to his qualifications.

Mr. DOMENICI. I thank the Senator very much. I want to give my friend from Nevada a thought. He made a very serious and significant series of statements about the voluntary nature of this, that the truth is, for States such as mine—I don’t know about Nevada—the major water districts and the river waters that will be used by farmers, ranchers, cities, et cetera, do not need another big purchaser of water rights called the U.S. Government’s Secretary of Agriculture. We don’t need one of those for our basins. Voluntary means how high the person who is buying will go in paying. I imagine the Secretary of Agriculture has a lot of influence, but it is the buyer around the purchasing in the district will be distorted by the gigantic reach of the Secretary of Agriculture.

What will they be looking for? They will want to buy the acreage to do something different than we are planning to do with that water now, just as sure as we are here. They are not going to be acquiring it to do what the basin currently permits. It is going to be for another purpose.

We are just plunging down in the middle of an already totally occupied water district a new buyer, the great big Secretary of Agriculture. They can come and purchase the Federal Government purposes. There is no question about it.

Frankly, I don’t think anybody who has assets and resources in their States would want to say everything will be OK, even though everything is tight right now. We don’t know if there is enough water for the city. We don’t know if there is enough water for the fishpond, the lake, or the streams. But that is all right. We are going to approve the program so big daddy, the U.S. Agriculture Secretary, if he wants, he can come in and buy up water rights. Of course, it is all going to work out because they are benevolent anyway and willing. Everybody is going to be OK. The State water superintendent has to say OK anyway. Frankly, I don’t think we ought to give them the right to get into a district with that kind of power and end up calling it willing and calling it equal and calling it equality. It is not so. It is going to be tremendously distorted on the side of the Department of Agriculture.

I yield the floor.

The PRESIDING OFFICER. The Senator from Montana.

Mr. BURNS. Madam President, I thank my good friend from New Mexico for leading the charge on this particular part of the farm bill.

A while ago we were talking about myths. If this section does not erode the State adjudication process and the Secretary of Agriculture has the authority to purchase water rights from the willing buyer, it would hurt. I don’t think there is a section of willing seller and willing buyer—which, by the way, they already have that right—why have the legislation? What other purpose does this legislation serve than the landowner and the water right owner in that community?

Some 8 or 9 years ago a Secretary of the Interior made a speech and said: We can’t change the culture of the West until we take over the financing and get control of the water.

I know the Senator from Nevada very well, and he understands the State of Nevada very well, that whiskey is for drinking and water is for fighting. That has been pretty well accepted throughout the West. But in this piece of legislation, which has been inserted into this bill, is language that would make it possible for the Federal Government to purchase water rights from individuals to protect sensitive species.

We have a hard time defining ‘endangered species’ in the Interior. The Secretary of Agriculture, when the Government owns the water rights, do we see, all over
I have a letter here from the National Cattlemen’s Beef Association. The president of that association, Lynn Cornwell, is a resident of Montana. He is a good friend and a good rancher out of Glasgow, MT. They would like to see this program of the agriculture bill deleted because they understand what it does and the effect it has on farming and ranching operations, even on dry land. I would say the biggest share of the Cornwell ranch is on dry land.

I want to change the tone and restore the spirit of the law of the CRP, Conservation Reserve Program. I will have an amendment that will do that which I will offer in a little bit.

But my concern is, the willing buyer-willing seller is not the real world. It is not the real world. It may be up to us, and those of us who probably have never trod on a farm or a ranch, to deal with this.

I have been a very fortunate person. I have always taken the advice of an old rancher over in Miles City, MT: ‘If you have good water, make sure you can use it; if you have good land, make sure you use it.’

I say to Senator REID, let’s take Clark County in your State where that county has grown and pushed out the agriculture. You and I will not see it, nor do I think our kids will see it, but there will come a time when we will pay the penalty for building houses on the valley floor covering up good, productive agricultural land that tends to provide great benefits to us. We had better start building our homes and our houses and our businesses on dry land and let the valley produce. That is the way we have done it before, and those societies still are with us today. We may have to take a look at that.

I will tell you, when they turn the water out of the ditch, the wells at my house go dry because the water table drops. That happens every fall. So that is not a myth, I say to the Senator. It is true.

The president of that association, Lynn Cornwell, is a resident of Montana. He is a good friend and a good rancher out of Glasgow, MT. They would like to see this program of the agriculture bill deleted because they understand what it does and the effect it has on farming and ranching operations, even on dry land. I would say the biggest share of the Cornwell ranch is on dry land.

I want to change the tone and restore the spirit of the law of the CRP, Conservation Reserve Program. I will have an amendment that will do that which I will offer in a little bit.

But my concern is, the willing buyer-willing seller is not the real world. It is not the real world. It may be up to us, and those of us who probably have never trod on a farm or a ranch, to deal with this.

I have been a very fortunate person. I have always taken the advice of an old rancher over in Miles City, MT: ‘If you have good water, make sure you can use it; if you have good land, make sure you use it.’

I say to Senator REID, let’s take Clark County in your State where that county has grown and pushed out the agriculture. You and I will not see it, nor do I think our kids will see it, but there will come a time when we will pay the penalty for building houses on the valley floor covering up good, productive agricultural land that tends to provide great benefits to us. We had better start building our homes and our houses and our businesses on dry land and let the valley produce. That is the way we have done it before, and those societies still are with us today. We may have to take a look at that.

I will tell you, when they turn the water out of the ditch, the wells at my house go dry because the water table drops. That happens every fall. So that is not a myth, I say to the Senator. It is true.
the administrative responsibilities of the easement, the landowner has the flexibility to work with the entity they feel most comfortable. Several states have developed land trust easements for the purpose of holding and enforcing agricultural conservation easements. Without the ability of non-profit or agriculture land trust participation, the GRP would very poorly provide for farm- ers and ranchers for which it was designed. We look forward to working with all Members of the Senate to create a final package that meets the needs of today’s ranchers. In closing, NCBA believes that last minute amendments to a balanced and bipartisan Committee report are lacking in number of key areas and less attractive to US beef producers.

Thank you for the opportunity to communicate with you on these important issues. If you need further information or if we can provide clarity to any points in this letter, please contact us.

Sincerely,

LYNN CORNWELL,
President.

Mr. BURNS. I thank the Chair and yield the floor.

The PRESIDING OFFICER. The Senator from Vermont.

Mr. LEAHY. Madam President, I heard the comments made by my good friend from Nevada earlier. I agree with him. The reservation title of the Harkin bill is there to help mitigate western water conflicts.

I have been on the Agriculture Committee for 26 years now. It was the first committee I went on when I came here. I have had to deal with the day-to-day conservation practices and on water matters. We get concerned about water in the East for different reasons than they do in the West.

We have heard the comments of my friend from Nevada. My home in Vermont has a well. We live on a dirt road. We have to provide our own water. We are certainly very careful about protecting the water we have.

Our home had once been a farm. They had to have water for the cattle. We know what it is.

This is not a case where you are going to willy-nilly transfer water away. In fact, under the amendment that the Senator from Nevada, Mr. Reid, has proposed to the Harkin bill, it provides specifically that the State law is paramount. In other words, if Nevada or Montana or anywhere else has a water transfer law, then nothing happens unless it is approved under the State law. It is not a case where the Federal Government just comes over and takes over these decisions.

This proposal is here to make sure we plan before we are in trouble, before we are in a drought situation. When you get into a drought situation, when you have these kinds of problems, there is not an awful lot you can do to help farmers or alleviate their economic impact, or, for that matter, the regional impact on farmers because they fail.

So what this amendment would do is try to notice those kinds of programs that would help lessen water conflicts—not for the good years, because in the good years there aren’t any con-

flicts. In the good years, everybody has plenty of water; nobody really thinks about it. This is the plan for those drought years. It is almost the biblical 7 fat years and 7 lean years.

The Water Conservation Program that is included in the HARKIN’s bill is the first tool we will have in the Federal farm policy to actually address the program. This program actually is very familiar. Most farmers know about the CRP program, the Conservation Reserve Program. Farmers know about that program. The program is extremely popular. This follows it. In fact, under the new water conservation program, a farmer could enroll land in the program, reducing farming on that land, but it is totally voluntary. This is not something where Big Brother comes in saying you have to do it. It is totally voluntary. You can’t transfer anything anyway if your State has already passed a law saying you can’t.

It is really, but as much power in the hands of the farmer as their own State would allow. Instead of focusing on wildlife, for example, wildlife improvements on the land, the farmer could agree to transfer the land to those with the ability to provide water for fish and other wildlife, something that those who hunt, fish, or just are concerned with the environment should like very much.

It actually does maintain basically the same way as every other conservation program in this bill. All the protections have been built in here, protections of saying that you can’t override State law. You have to make it voluntary. The farmers and ranchers themselves are going to make these decisions. We have done this in CRP.

We have done the Conservation Reserve Program in the past. That has proved very popular. I have some very careful farmers in my State, good Yankee stock. They want to make darn sure they are doing something that protects the farmers’ sons and daughters afterwards. They sign up for the CRP because it works.

I know the Senator from California is here. I yield to the Senator from California.

The PRESIDING OFFICER (Mr. DAYTON). The Senator yields the floor for a question.

Mr. LEAHY. I yield the floor, Mr. President.

The PRESIDING OFFICER. The Senator from Vermont has yielded the floor. Senators may compete for recognition.

The Senator from California.

Mrs. BOXER. I say to my friends, I will be brief and to the point. I thank my friend from Vermont. This particular part of the farm bill is very important to our State that is having so many issues surrounding water, the availability of water, and the ability to have enough water for everyone—for the farmers, for the urban areas, for the water policy, for the environment, for fish and wildlife.

I had the experience of taking a hike along a river that is pretty dry. It is in a State park. They have a wonderful series of parks along this river that is now so dry. This was the place where the salmon would come. There is nothing sadder than seeing this happen, seeing us lose our habitat. It is our responsibility to make sure we do right do right for the farmers, for the urban areas, for the suburban areas, right by the suburban users. That means we all have to live within this gift we get from God that sustains us—the water. We have to use it wisely. We have to be smarter about it. If we do that, everyone will thrive in the end.

What Senator Reid has done by his excellent work on this bill—and I so much oppose this move to remove it from the bill—is to understand this reality, that this is a precious resource, this water; that we do need it for all the stakeholders. We know when we took up the issue of the Klamath what a terrible situation we had there with the fishermen literally because they didn’t have enough water to farm. They didn’t have an option to sell what water they had.

What Senator Reid does, through a leasing and a purchase program, is to put the water back in the hands of the farm- ers. In my State, I heard from farmers afterwards. They said, ‘This is the plan for those farmers liter- ally because they didn’t have enough water to farm. They didn’t have an option to sell what water they had.’

Therefore, when Senator Reid was putting together this provision, I thanked him on behalf of those farmers who call the Reid provision a win-win situation. Farmers could sell water they could not otherwise use and, in exchange, get funds they need to keep on going, to keep on going, and fish and wildlife get the needed water.

I find it interesting that in this debate some on the other side talk about the big, bad, evil Federal Government coming in and stealing water away from farmers. First of all, I know Ann Veneman, and I don’t think of her in that way, and I don’t think of the Feder- al Government as evil. I think people see the Federal Government as a neces- sary tool for them to do the right thing, whether it is in foreign policy, or agricultural policy, or environmental protection. I don’t think this admin- istration, or any administration, would come in like Big Brother or Big Sister
and disrupt a farmer's life. On the contrary, I think in fact that because this is voluntary, this is an option for farmers.

In closing, I don't need to go on at great length. I wanted to support my colleagues, the Democratic leader, who I think has done an incredible job of crafting a very good provision. I am disappointed that we always seem to pit farmers against the fishing people, fishing people against the urban and suburban people. Conservation has involved that we have to live together. We don't come to this floor—Senator FEINSTEIN and I—picking a fight with any of them. We try to bring everybody together. Senator REID has done a good job in trying to bring all the stakeholders together. In this case the farmers stand to win, the environment stands to win, the fish stand to win, as does the wildlife and everybody else.

I think what I hear on the other side of the aisle is the old water wars, the old language, and it is the old threat, the old gloom and doom. I urge colleagues to work with Senator REID, give this a chance. I think this program could work. It could be a win-win for everybody. I yield the floor.

The PRESIDING OFFICER. The Senator from Colorado is recognized.

Mr. CAMPBELL. Mr. President, I will limit my comments, I want to say this while Senator REID is on the floor. I used to live in his part of the country and I understand his concern. If you haven't spent much time in Nevada—I listened to his comments. I listened about Pyramid Lake and Walker Lake, two lakes that rivers come into. And there is a place called Tumble Sink in his State—the only place in the United States where the further you go downstream, the smaller the river gets, until it just disappears.

I think this is a question that probably should have been fully debated, with some kind of a hearing, and not attached to this bill. The Senator from Montana, Mr. BURNS, mentioned what we often call the law of unintended consequences. That is what I am concerned about, too, without adequate input. I know this may help a rancher or a farmer survive, but I can tell you they won't survive very long once the water is gone. I don't know how many Memos they have in Montana. I know there are several, including me. You might make a short-term agreement to sell or lease some water, but if there is a change in the water usage and you don't get it back, that is the end of your farming and ranching in the arid West, where we have to store something like 80 percent of our yearly water needs.

As I understand this part of the bill, the Secretary of Agriculture can acquire the water for purposes other than agricultural use during this period of time, even though I understand it is on a willing-seller/willing-buyer arrangement and that he cannot participate in a CRP unless he also agrees to the water provision. You take them both or you get neither.

Now, I am reminded of something that happened. I did a hearing on water in Fort Collins, CO, about a year and a half ago, and the witness testified—I was thinking about him when I was listening—was a man, like a lot of ranchers, who moves his water around, depending on what he is planning and where he wants the irrigation water to go. He had it was dry as a bone, and he had ample water rights. So he put a ditch in to carry some of the excess water he already owned to this very dry field. Lo and behold, the field obviously came up very rich and beautiful and produced a wonderful stand of hay. Since there was water and seed in the ground, a little mouse moved in called a Preble's meadow jumping mouse, which is on the Endangered Species List, or the Threatened Species List.

As you know, the Endangered Species Act takes into consideration habitat. Once the mouse moved in, he found he could not move his ditches anymore from there because it was declared habitat for that mouse. That is one of the concerns of this. Maybe it will work fine; maybe it won't.

What if the rancher agrees to take his water out of production and put it in this Federal designation for a period of time, and whether that was—an example of the West—it is used for something else and, therefore, where it was in those fields is now dried up. As you probably know, there is a program in the West reintroducing the blackfooted ferret on the Endangered Species List. They are beginning to grow little by little. There are a few more colonies established. What if something like that moved into that area where he had his water because they live on prairie dogs and live in dry ground. Anybody's question would be: Is there a possibility that he could not get his water use back because that land he had irrigated might then come under some kind of a criterion that would prevent him under the Endangered Species Act?

It is that kind of unanswered ambiguity about this section that makes me oppose it. I am not opposed to the concept. I am always looking for ways that farmers and ranchers can survive because survival is so crucial. We have more ranchers and farmers in the West whose wives are now driving school buses to make ends meet. It is a tough lifestyle. There is no question that as the urbanization takes place in the West, there is going to be a bigger need for water.

Maybe someday we will have to change the way we use water, as they do in Israel and other dry countries where they have gone to drip irrigation and other things, rather than flood irrigating, which is so wasteful of water. But under the water law that exists now in the Western States, I think this could really upset things, even though the language says it cannot be done without the approval of the water authority. Something, it seems to me, should be fleshed out completely through hearings and much better debate, rather than simply in the last few minutes before the agriculture bill moves.

With that, I thank the Chair.

The PRESIDING OFFICER. The Senator from Idaho.

Mr. CRAPO. Mr. President, I rise in opposition to this section of the bill and in support of the amendment to strike it as well. I think it is important as we debate this amendment we recognize that the Senate Agriculture Committee never considered this provision. It was never raised in any of the hearings we held on the conservation title of the farm bill earlier this year, nor was it included in any version of the conservation title on which this committee has worked. It has been introduced on the floor now while debating the bill. It hasn't been vetted nationwide.

We are in the process of debating it now, as water users, lawyers, and those who are involved in the issue around the Nation are hurriedly trying to evaluate it and get their information to us to determine what impact and what consequences it will have. I believe the law of unintended consequences, which was discussed by several other Senators here, is going to be played out if this becomes law and we will then see what happens without having had the kind of thorough evaluation that it deserves under this provision.

What the proposal does is to adjust the CRP, which is a very useful and time-tested program in the conservation title of the farm bill that has been extremely successful over the years in helping us to improve the habitat for wildlife, and for fish, and for species around the Nation by addressing those concerns without doing it in the context of the Endangered Species Act but doing it in the context of the conservation title that we desire to improve in our farm policies in this Nation.

In fact, I have worked very hard this year and in the last couple of years to put together a conservation title for the farm bill, and a part of that conservation title is to try to expand the CRP to make it even more useful in protecting habitat and improving circumstances nationwide for our wildlife. Yet we have not seen this effort to try and hook Federal acquisition of water rights into the administration of the CRP until today. I have worked very closely with many of the Senators in the Chamber in other efforts to protect and strengthen our salmon and steelhead in Idaho under the Endangered Species Act, another endangered species as well.

I worked hard to improve the Endangered Species Act to authorize our landowners to have habitat conservation plans and options where they can commit to use their land in certain ways that will help achieve the objectives of the Endangered Species Act...
and protect them from some of the onerous implications of the impacts the act may have on them in the administration and use of their land.

Never until today have we debated a proposal to merge the CRP with the Endangered Species Act and to do so in a way that facilitates and, in fact, initiates the Federal acquisition of water rights. That is what is causing such a significant concern around the country.

In my discussion with the Senator from Nevada earlier, he acknowledged that, although there is a lot of talk about the use of the voluntariness in this package, it is only voluntary in the sense that a farmer does not have to participate in the CRP if he does not want to give up his water rights. But with regard to this 1.1 million acres that is outlined in this proposal, any farmer in America has only one choice: Either do not participate in this part of the expansion of the CRP or give up your water rights, either on a temporary or permanent basis. Such a choice, in my opinion, is not very voluntary.

In fact, it will cause a lot of farmers who otherwise would have taken advantage of this expansion of the CRP to do really good things on their land and buy water rights to say: I am not going to give up my water rights. So I am not going to participate in this program and they will make that so-called voluntary decision, but what it really means is they have been deprived of this ability to participate in the expansion of the CRP because the condition of giving up their water rights has been placed on it. That is what the debate comes down to.

Why is it necessary for us to expand into the CRP the Federal effort to gain control over water by acquisition of water rights and to fund it so the Federal Government can then come in with the deepest pocket in the market and buy water rights with the pressure or the tool of access to the CRP used as the hammer?

The real debate here is: Why are we seeing this? I think the reason is one that has been suggested by several of the others who have spoken. Historically, we have seen an increasing effort by the Federal Government to gain access to and control over the water in this Nation. That is a continuous issue we fight often in the West, and I know in other parts of the country it is fought as well. So there is an automatic alertness by those who own water rights or who deal with water rights or who seek to manage the water issues in the States, when they see a conflict in our Federal relationship, it is being pumped in and Federal conditions being brought in to a program that otherwise was working wonderfully with the purpose of saying we are going to utilize this good program and restrict access for it to the new people who want to get in and do so in a way that only they can use it if they give up their Federal water rights.

In a sense that is voluntary because they do not have to do it, but it is making it so anyone who wants to participate in the expansion of the program cannot do so unless they fall within this provision.

The Senator from Nevada made, and I hope still will be the one that prevails in the Senate with regard to the CRP lands, is indeed we focus our expansion of the CRP on those buffer strips and those areas where we can have the most impact on the habitat, but do not do it in a way that excludes every landowner in America who does not want to give up their water rights.

Let’s not create just a limited application of this new expansion of the CRP in a way that would essentially disqualify everyone who is not willing to give up their right to water. That is my biggest concern with regard to the so-called voluntariness issue and the willingness to arrange. Another point I think is critical to make is that those who advocate this provision say it is important we protect these threatened species and species that could be benefited if the Federal Government takes control of this water and utilize it for their benefit. It is a good point. Utilization of the water resources of this Nation for the benefit of species is critical, and yet under existing Federal laws, such as the Endangered Species Act, the Clean Water Act, and so forth, and under existing State laws, almost everything that has been discussed as a very positive thing that should be done under the Endangered Species Act can already be done.

If you stop to think about it, as the Senator from Montana already said, the Federal Government can already buy water rights in a willing buyer/willing seller arrangement. What is being added here is that lever or that hammer that says you cannot any longer participate in the expansion of the CRP unless you sell your water rights. Just a little bit of a hammer—the hammer—maybe not a hammer—or the tool of access to the CRP used as the hammer?

Yet already we are achieving some of those objectives under the existing law. For example, in my State of Idaho, the need for water for salmon and steelhead has long been established, has been debated actually, but has long been something that has been sought to be addressed under the Endangered Species Act. For years, hundreds of thousands of acre-feet of water in Idaho on a new basis have been made available on this true willing buyer/willing seller basis where the Federal Government has come in and obtained on fair evenhanded negotiations the ability to get water out of the waterbank or out of projects or out of water users who do not need it for that year and to utilize it for the salmon and the steelhead.

That can be done, but it does not have to be done with the added hammer of prohibiting access to the CRP.

In the State of Idaho, for example, the U.S. Bureau of Reclamation, as I indicated, has been able to rent water from the State waterbank from willing sellers for almost a decade. Recently, in another context, the Bureau has rented water in the Lemhi River area, a tributary of the Salmon River for the benefit of species. All of this was done under State law and Federal with the current system.

I have a letter from the Governor of the State of Idaho who asked us to oppose this legislation because it is in conflict with Idaho’s water law and because, as he says, it:

In addition, the goal of implementing water quantity and water quality improvement demonstrated to be required for species listed under the Endangered Species Act can largely be achieved under existing State laws.

The Governor goes on to give examples that explain we have those abilitities and the desires in the States right now to achieve these objectives.

What this comes down to, frankly, is: Are we going to modify and take a step into the arena of our conservation title of the farm bill now and modify the CRP in a way that creates a hammer to force those who would like to participate, who would like to use the habitat under this program, would like to take the incentive that it provides and say: You cannot do it unless you give up your water rights? Or are we going to use the existing voluntary basis and the so-called voluntariness under the Endangered Species Act, in terms of obtaining and utilizing water rights, and let the CRP work as it has been intended to work and as it has so effectively worked over the last years to let farmers, without having to jeopardize their water rights, do those things they know are going to benefit the species that reside on their property?

I think that it would be better, actually. If you want to look at what is actually right for the species to results for the species and for wildlife in general in the United States, I think it is going to be best if we allow those who own land and who operate land in agricultural endeavors to continue to utilize this expansion of the CRP program without the threats of giving up their water rights because you will have many more people willing to participate then, many more lands that will be available and be competitive for this expansion, and the Secretary will be able to use a wider array of choices in terms of the allocations of the new CRP land.

A last question that perhaps the Senator from Nevada can answer, a question raised by some of the water users as they struggle to evaluate what will happen: What happens if a water user who enters into a contract with the Secretary agrees on a temporary basis to give up his water rights and then chooses, for whatever reasons—economic reasons or whatever other reasons—break for that year or the next year? I understand there are financial penalties for that. That is understood. By then taking that water
back from the Federal Government’s utilization of the utilization of the farmer, which I assume would be possible, would that then result in a section 9 violation of the Endangered Species Act by taking water away from a species? The former is not intended to extend Federal control over water and Federal acquisition over water. Let the CRP work as it was intended.

The PRESIDING OFFICER. The senior Senator from Idaho.

Mr. CRAPO. Mr. President, I join with my colleague and partner from Idaho with what I think is, for Idaho, an arid Western State, probably one of the more critical debates of new farm policy for our country. Those who live east of the Mississippi have no comprehension of the value of a raindrop, the value of a bank of snow, or the value of a large body of water retained behind an impoundment, known as a reservoir. My forbears and Senator Craig’s forbears for generations have recognized the value of storing water under State law and allocating this very scarce commodity to make the deserts of the West bloom and to become productive.

There is a question in anyone’s mind, I hope, that the ability to allocate water is the sole responsibility of the States. That is a fundamental right that has been well established in law. While oftentimes disputed by those who disagree, it is rarely ruled against in court by this reason.

Why are we gathered here tonight? Because an amendment would propose in some nature, yet to be argued, that fundamental principle of western water law is somehow overridden by a Federal law.

My colleague from Idaho was very clear in pointing out the rather perverse incentive created within this bill. The authors take a very popular conservation program known as CRP and suggest if you wish to enter it anew, somehow you have to give up something increasingly more valuable. That has never been the concept. The benefit of CRP and the intent of CRP—and I am one who has been here long enough to put in what we consider the value of this idea—said it was to take erosive lands out of the market, give that land owner something in return for the value of the conservation that would result.

What has happened in the meantime is a well established record that these lands once tilled were turned into grasses and stubbles and root base that held the water, stopped the erosion, and became some of the finest upland game bird habitat in the West.

In my State of Idaho, it is an extremely popular program where pheasant, chukar, and sage grouse now flourish because of the program. The incentive was the right and natural incentive. It was not something to do so, I want to take something away.

The Senator from California, a few moments ago, opined about the fact of a dry river bed. I am not going to suggest States have allocated their water under the proper fashion. We in the West are in a tug today, a tug of war over water because we are populating at a very rapid and historic rate compared to the last century. Agriculture, some manufacturing, and human consumption were the dominant consumptive uses of water. We failed to take into recognition the value of fisheries on occasion or riparian zones. We now understand that.

But here is the catch-22. My State, for 100 years, added to its water base. My State created more water than that State ever had before the Western European man came. Why? Because we created impoundments, we saved the spring runoff, and we increased the abundance of water in my State by hundreds of thousands of acre-feet. But about a decade and a half ago, because of environmental interests and attitudes, we stopped doing that. The Federal Government said: We will build no more dams. It is not a good thing to dam up rivers. So it stopped. We stopped adding water to a very arid Western State. And it is true across the West. So we locked into place the water that was there. We could add no more.

Two decades ago, I joined with the Senator from Colorado to establish a new water project in southeastern Colorado and we have fought it for two decades. It still is not constructed. Yet it would have added an abundance of new water to that corner of the State. It was denied by environmental interests and others. That is really a very encapsulated history as I know it. But what is happening in an area where we have been locked into a limited amount of water, unable to store or generate more by spring runoff, we are saying you have to divide that which is currently used for other uses.

I will tell you, the arguments are pretty legitimate: Fisheries, water quality, instream flow, riparian zones—something we all want. It is something we all believe in. But because of the situation the arid West has been in, the situation we have this, we have to take it away from somebody else. We can’t add because we have no more water with which to work.

We are at the headwaters of a mighty water system in my State known as the Snake-Columbia system. The mighty Snake River begins just over the mountain in Wyoming, springs through Idaho, and picks up the tributaries and dumps from the Idaho into the Columbia River, and our rivers and our streams are famous for salmonoid fisheries—salmon, a marvelous species of fish. They come up from the ocean to spawn, and their offspring go back to the ocean. That has become an increasingly important issue in my State because they are now listed as endangered or threatened under the Endangered Species Act.

The State of Idaho has sent upwards, at times, of 700,000 acre-feet of their water, under law, downriver to help those fish. But there are those who want more.

As my colleague from Idaho said, the Bureau of Reclamation in Idaho is, in
fact, acquiring water from Idaho and its willing seller. That is the appropriate thing to do. It is not an adversary relationship. If you have surplus available and it is in a nonuse way, we will acquire it and put it to some other use.

But that fight doesn’t occur here in the Nation’s capital. It occurs in Boise, in Idaho’s capital, in the State capital of our State where water law, water fights ought to exist. If you are going to fight water in Colorado, you fight it in Denver, you don’t fight it here, because it is not our right to do so. If you are going to fight water in New Mexico, you fight it in Albuquerque. And we will have those fights. The West is replete with a history of water fights. Why? Because it is a scarce commodity. It is a life-giving commodity—to the human species, to the fish, to the wildlife, to the plants that become the abundant crops that have made our States the great productive States we are. But it was the men and women of Idaho from the beginning who decided how Idaho’s water ought to be allocated—not the Federal Government, not the Agriculture Committee of the Senate, not the Secretary of Agriculture, but the citizens of the State of Idaho.

So the senior Senator from New Mexico offers an amendment to strike the provision for the water conservation program as proposed by the Senator from Idaho, and he is right to do so. It doesn’t mean a program such as this couldn’t exist. It doesn’t mean a program such as this should not exist. But if it does exist, it ought to be the right of the State to decide whether its citizens can participate in it because it is the State’s right to decide how that water gets allocated and not the Federal Government’s.

When I first came to Congress in the early 1960s, there were some very wise environmentalists who were scratching their heads and saying: Wait a minute, if Idaho is 63 percent owned by the Federal Government and the citizens of the Nation and most of the tops of those watersheds where that water system of the West begins any Federal land, why isn’t it Federal water? And there was a thrust and a move to take it.

We blocked it. We stopped it. Why? Because of the precedent and the history of the fact that when you are in a State such as mine and that of Senator MIKE CRAPO, where we get about 15 inches of rainfall a year, water is sacred. What do we get here, 60-plus in a good year? People east of the Mississippi don’t worry about water so much. They don’t realize that you have to control it and impound it. Actually, they are trying to control it to keep it off their lands most of the time, to keep it out of their farms because it floods and does damage. We have had those reclamation floods and all of that drainage kind of thing in wetlands. Quite the reverse is true out there on the other side of the Rockies, on the other side of the Mississippi.

Mr. CAMPBELL. Will the Senator yield for a question?

Mr. CRAIG. I am happy to yield.

Mr. CAMPBELL. The State of Idaho has a number of water compacts. We have them between counties sharing scarce water, we have them between States. Colorado happens to be an upper basin State, as it is called; California, a lower basin State; and we share the water that goes down the Colorado River. We also share the water, under a contractual agreement, that goes down the Rio Grande that starts in Colorado, that goes to Texas.

In addition to interstate compacts, we have international compacts because we have a compact with Mexico to provide a certain amount of water from both of those rivers to that nation.

Most of the water that is in ranching now recharges back to the ground. It goes back either through run-off irrigation, which goes back to the river, or if it is sprinkled, it usually recharges the aquifer to some extent. The East is called water compacts. We have them between counties sharing scarce water, we have them between States. Colorado happens to be an upper basin State, as it is called; California, a lower basin State; and we share the water that goes down the Colorado River. We also share the water, under a contractual agreement, that goes down the Rio Grande that starts in Colorado, that goes to Texas.

In addition to interstate compacts, we have international compacts because we have a compact with Mexico to provide a certain amount of water from both of those rivers to that nation.

Most of the water that is in ranching now recharges back to the ground. It goes back either through run-off irrigation, which goes back to the river, or if it is sprinkled, it usually recharges the aquifer to some extent. The East is called water compacts. We have them between counties sharing scarce water, we have them between States. Colorado happens to be an upper basin State, as it is called; California, a lower basin State; and we share the water that goes down the Colorado River. We also share the water, under a contractual agreement, that goes down the Rio Grande that starts in Colorado, that goes to Texas.

In addition to interstate compacts, we have international compacts because we have a compact with Mexico to provide a certain amount of water from both of those rivers to that nation.

Most of the water that is in ranching now recharges back to the ground. It goes back either through run-off irrigation, which goes back to the river, or if it is sprinkled, it usually recharges the aquifer to some extent. The East is called water compacts. We have them between counties sharing scarce water, we have them between States. Colorado happens to be an upper basin State, as it is called; California, a lower basin State; and we share the water that goes down the Colorado River. We also share the water, under a contractual agreement, that goes down the Rio Grande that starts in Colorado, that goes to Texas.

In addition to interstate compacts, we have international compacts because we have a compact with Mexico to provide a certain amount of water from both of those rivers to that nation.

Most of the water that is in ranching now recharges back to the ground. It goes back either through run-off irrigation, which goes back to the river, or if it is sprinkled, it usually recharges the aquifer to some extent. The East is called water compacts. We have them between counties sharing scarce water, we have them between States. Colorado happens to be an upper basin State, as it is called; California, a lower basin State; and we share the water that goes down the Colorado River. We also share the water, under a contractual agreement, that goes down the Rio Grande that starts in Colorado, that goes to Texas.

In addition to interstate compacts, we have international compacts because we have a compact with Mexico to provide a certain amount of water from both of those rivers to that nation.

Most of the water that is in ranching now recharges back to the ground. It goes back either through run-off irrigation, which goes back to the river, or if it is sprinkled, it usually recharges the aquifer to some extent. The East is called water compacts. We have them between counties sharing scarce water, we have them between States. Colorado happens to be an upper basin State, as it is called; California, a lower basin State; and we share the water that goes down the Colorado River. We also share the water, under a contractual agreement, that goes down the Rio Grande that starts in Colorado, that goes to Texas.

In addition to interstate compacts, we have international compacts because we have a compact with Mexico to provide a certain amount of water from both of those rivers to that nation.

Most of the water that is in ranching now recharges back to the ground. It goes back either through run-off irrigation, which goes back to the river, or if it is sprinkled, it usually recharges the aquifer to some extent. The East is called water compacts. We have them between counties sharing scarce water, we have them between States. Colorado happens to be an upper basin State, as it is called; California, a lower basin State; and we share the water that goes down the Colorado River. We also share the water, under a contractual agreement, that goes down the Rio Grande that starts in Colorado, that goes to Texas.

In addition to interstate compacts, we have international compacts because we have a compact with Mexico to provide a certain amount of water from both of those rivers to that nation.

Most of the water that is in ranching now recharges back to the ground. It goes back either through run-off irrigation, which goes back to the river, or if it is sprinkled, it usually recharges the aquifer to some extent. The East is called water compacts. We have them between counties sharing scarce water, we have them between States. Colorado happens to be an upper basin State, as it is called; California, a lower basin State; and we share the water that goes down the Colorado River. We also share the water, under a contractual agreement, that goes down the Rio Grande that starts in Colorado, that goes to Texas.

In addition to interstate compacts, we have international compacts because we have a compact with Mexico to provide a certain amount of water from both of those rivers to that nation.

Most of the water that is in ranching now recharges back to the ground. It goes back either through run-off irrigation, which goes back to the river, or if it is sprinkled, it usually recharges the aquifer to some extent. The East is called water compacts. We have them between counties sharing scarce water, we have them between States. Colorado happens to be an upper basin State, as it is called; California, a lower basin State; and we share the water that goes down the Colorado River. We also share the water, under a contractual agreement, that goes down the Rio Grande that starts in Colorado, that goes to Texas.

In addition to interstate compacts, we have international compacts because we have a compact with Mexico to provide a certain amount of water from both of those rivers to that nation.

Most of the water that is in ranching now recharges back to the ground. It goes back either through run-off irrigation, which goes back to the river, or if it is sprinkled, it usually recharges the aquifer to some extent. The East is called water compacts. We have them between counties sharing scarce water, we have them between States. Colorado happens to be an upper basin State, as it is called; California, a lower basin State; and we share the water that goes down the Colorado River. We also share the water, under a contractual agreement, that goes down the Rio Grande that starts in Colorado, that goes to Texas.
In the West and in the arid regions of our country, a long while ago this Congress recognized how important it was for those who lived in the arid areas to determine the use of the water. Some scholars called it the oasis theory. My grandpa and my grandpa’s grandpa, when he was homesteading, he homesteaded where the water was. Why? Because it is life for you and your family, and the livestock. In that case, it was my granddad’s sheep ranch. It wasn’t by accident that he became the owner and controller of water because it was a very limited commodity and it allowed him to grow and to expand his business, if he had to.

That has been the history of the West. That is why we must not allow this amendment to exist. I am not saying the purpose isn’t right, nor am I saying the Secretary of Agriculture might not want to ask the State to participate. But they ought to be asking and the State ought to have a right to say yes or no, and there ought not be any perverse incentive that if you do not, you won’t get something in return that others can get.

That isn’t the way conservation programs ought to be developed. There ought to be clearly incentives. The additional CRP offers just that. It has been a very successful program in the foothill countries of the upland areas, in the steep countries, and the erosive lands that were once farmed. That is what ought to happen this time.

I hope we can work out those differences. If not, we will have to not only attempt to strike, as the Senator from New Mexico is now attempting to do, but we will have to follow any effort through to conference and work with our colleagues in the House to make that happen.

That is how critically important this is for the West and for all of us involved.

I yield the floor.

Mr. REID. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. DOMENICI. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

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

Mr. MURKOWSKI. Mr. President, I rise in strong support of Senator DOMENICI’s amendment to strike the conservation provisions of this legislation.

As former chairman of the Energy and Natural Resources Committee with jurisdiction over western water, and now the ranking member, I have labored with my colleagues for a good deal of time to try to resolve these issues. This proposal coming in without any hearings, and without any input from the Western States that care so much for their prosperity over the water, and this particular portion of this legislation is absolutely premature and inappropriate. It doesn’t belong in here.

Senator DOMENICI’s amendment to strike the conservation provision is somewhat of a thinly supported. We simply do not have to have another program with the intent of taking water away from farmers. That is just what this does.

This program, as I indicated, has not had a hearing and it will directly affect programs within the jurisdiction of our Committee on Energy and Natural Resources. It took us years and years to craft and enact the Upper Colorado River Program. I am of the opinion that this could be adversely affected if these provisions are adopted.

We are presently in the midst of considering reauthorization of the CALFED Basin and Ecological Recovery Program. I know Senator FEINSTEIN worked very hard on that. Its effects on Federal and local obligations in the Central Valley of California are paramount. This new program could significantly affect the support and execution of programs within the State. The Secretary shall once again seek written consent from the governor of the State. The Secretary shall not implement the program created under this section in any State, the Secretary shall obtain written consent from the governor of the State. The Secretary shall not implement a program without obtaining this consent. In the event of the election or appointment of a new governor in a State, the Secretary shall once again seek written consent to allow for any new enrollment in the program created under this section in that State.

I send to the desk a modification of my amendment, the strike amendment. This amendment, as modified, is offered on behalf of myself, my colleague, Senator BINGAMAN, and Senator RODGERS.

Mr. DOMENICI. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. The amendment is modified. The amendment, as modified, is as follows:

On page 130, line 9, insert the following: “Before the Secretary of Agriculture begins to implement the program created under this section in any State, the Secretary shall obtain written consent from the governor of the State. The Secretary shall not implement this program without obtaining this consent. In the event of the election or appointment of a new governor in a State, the Secretary shall once again seek written consent to allow for any new enrollment in the program created under this section in that State.”

Mr. DOMENICI. Now, Madam President, rather than explain it, I will just read it. Then everybody will understand what we have done is make this a consensual program. That means that the Governor of the State must agree for his State to be in this new program. And that right is given to each Governor if, in fact, there is a new Governor while the program is still in existence.

So I am just going to read it:

Before the Secretary of Agriculture begins to implement the program created under this...
section in any State, the Secretary shall obtain written consent from the governor of the State. The Secretary shall not implement this program without obtaining this consent. In the event of the election or appointment of a new Governor in a State, the Secretary shall once again seek written consent to allow for any new enrollment in the program created under this section in that State.

I yield to Senator BINGAMAN who wants to comment.

The PRESIDING OFFICER. The Senator from Nevada.

Mr. BINGAMAN. Madam President, I thank my colleague, first, let me compliment him for raising concerns about the provision. I also compliment Senator REID for his commitment to try to help deal with some of these issues requiring additional attention to water conservation in the West.

I do think that is a real need. It is a real need we see all the time. Senator DOMENICI, my colleague, raised questions about the particular program and how it does in fact address our States and whether it would be an appropriate program to implement. Those were very valid questions.

This modification that Senator DOMENICI has now sent to the desk, on behalf of me and Senator REID, is a very good compromise. What it does is make it very clear that each State can make its own determination as to whether this is a program in which it wants to be involved. If it does or does not, clearly it should not be forced to do so. This is a very good result. It certainly meets our needs in New Mexico.

I compliment Senator DOMENICI for this modification. I compliment Senator REID as well for his leadership on this whole range of issues.

The PRESIDING OFFICER. The Senator from Nevada.

Mr. REID. Madam President, so the record is clear, I want everyone to know, Senator DOMENICI and Senator BINGAMAN have been most reasonable in their approach. We early on tried to get an opt-out provision. This makes much more sense and is mechanically something that will work very well. I also appreciate the dialog we have had off the floor with Senator CRAPO, who is a water law lawyer. He is going to come back later with some other questions he has. We will be happy to visit with him.

I am grateful for moving this issue along. In the event that we have all along, this is one of the real strong points of this new bill. I am grateful this amendment will be accepted shortly.

Mr. CRAIG. Will the Senator yield?

Mr. REID. I am happy to yield.

Mr. CRAIG. I appreciate what the Senator is working to do with our colleagues from New Mexico. This is a vast improvement without question over what I believe is a major intrusion into water law and the very reclamation policy of our colleagues before us have written. I am not quite sure we have bridged the gap yet. I do believe there is a very real precedent here that is risky at best as it relates to our reclamation laws.

This particular amendment has not withstood that test. Nor has it the very intricacy of water law reviewed against it. That is critical.

I know the intent and the good intentions of the Senator from Nevada. This is a phenomenally complicated area. To study water law today and to look at the court proceedings over the last decades would be very clearly. My colleague from Idaho has spent a good deal of time with water law. I am not a lawyer; I have not. But I do recognize a precedent when I see it and something that is new and unique to a very important body of law. I hope we can continue to work to perfect this. I do believe there is a very clear perverse incentive here that no person, nor public policy, should have embodied without it.

I thank the Senator for yielding.

Mr. REID. I respond to my friend from Idaho, his elucidation is the reason we have the States having the obligation, if they want in this program, to say, "We want in." I think from what the Senator outlined, if a State doesn’t want in, then they don’t come in. As I have indicated earlier in my remarks, I would be happy to work with Senator Craig’s colleague, Senator CRAPO, in the Chamber, to see if we can come up with something that will meet his questions and some of his concerns.

I have indicated to him that I certainly will not reject outright anything that has an open mind and would be happy to visit with him. I have also indicated to Senator KYL that there is absolutely no question that this has nothing to do with changing State law. The Senator has indicated at a subsequent time he will submit to us some language, and we will be happy to take a look at that, if he believes this language in our legislation is not clear enough. He also has had experience in water law, as has the Senator from Idaho. I would be happy to take a look at that.

I have had great experience working with the Senator from Arizona, who has been extremely important in our work on one of the most difficult water problems we have had in the entire West. The State of Arizona and the State of Nevada were at war for about 3 years, a bitter water war. As a result of our help and the water expertise of the Senator from Arizona, and perhaps a little of my political work on the issue, we were able to work something out. So now the States of Arizona and Nevada are working together hand in glove.

I look forward to working with these Senators in the near future on this issue.

The PRESIDING OFFICER. The Senator from New Mexico.

Mr. DOMENICI. Madam President, parliamentary inquiry: Has the amendment been adopted?

The PRESIDING OFFICER. It has not.
There is a hammer there on the States now to either opt in or not have access to this expansion of the CRP. I have discussed this issue with the good Senator from Nevada, and I appreciate his willingness to work with me on trying to resolve the issue. He has agreed that we will try to work out the differences and, hopefully, be able to come forward with a unanimous consent request or some type of approach that is agreed to. But if not, we will be able to propose additional amendments to try to address this issue, including striking the provision, if we are not able to work it out.

I appreciate all of those here who have worked on this matter. Senator Chabot has worked diligently, and Senator Domenici has worked so strongly in bringing this forward. I appreciate the willingness of Senator from Nevada, Mr. Reid, to try to iron out the concerns we have on western water law. I believe several other Senators from the West have strong concerns. They may want to make brief comments. I will support Senator Domenici’s amendment.

The PRESIDING OFFICER. The Senator from New Mexico.

Mr. DOMENICI. Madam President, I made a mistake. I should have included as a cosponsor of the Domenici amendment all of those who are cosponsors of my motion to strike. They have indicated they want to be on the amendment, but they don’t have any objection; quite the contrary. I ask unanimous consent that they be original cosponsors as it is tendered to the desk.

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

The Senator from Arizona is recognized.

Mr. KYL. Madam President, I thank Senator Reid for the comments he made. He is absolutely right that after years of acrimony, representatives of the South and Arizona have made a real difficult acrimony issue which became a win-win for both States. I am hoping that the kind of work we need to do in the Senate on this proposal can likewise result in win-win situations.

Western water law issues become very complex very quickly, and we want to ensure that nothing we do here in any way adversely affects the long-established, traditional water policies of the West. Mr. Reid has assured me that it is not his intention that this legislation be contrary to State procedural or substantive water law, interstate compacts, or, of course, Federal law. We are preparing language that will affirm that.

I appreciate the Senator’s concurrence in that view. Given the comments of Senator Domenici, I am prepared to support his amendment as well. There are additional concerns that I have about this. We will try to work those out and deal with them in an appropriate way.

The PRESIDING OFFICER. Is there further debate on the amendment?
November 27, 2001

Congressional Record — Senate

S13058

Mr. DORGAN. Madam President, I wonder if there is an expectation of having a recorded vote on the Bond amendment this evening and what time that might be expected. I do not know what the amendment is, but is it expected there will be a recorded vote required on the Bond amendment?

Mr. LUGAR. I have not inquired of the Senator as to whether he wishes to have a recorded vote. That would be his privilege and I would support that. I do not know what some of my colleagues know that will attend his amendment or how many Senators wish to speak on it.

Mr. DORGAN. At this point, the Senator does not know if we will have recorded votes this evening or when.

Mr. LUGAR. I cannot respond to the Senator on that.

Mr. HARKIN. I say to the Senator from North Dakota, I hope we have votes this evening. We have to finish this bill. We are here. Let’s get the job done. We do not want to be here in the evening any longer than we have to be here. We have spent all day on this bill, and we have had two votes today—three votes. We need more than that. I see no reason why we cannot have a couple more votes before we go home.

Mr. DORGAN. Madam President, I share that view, and I encourage us to move along. I understand Senator Bond is here to offer an amendment. The quicker we move through these amendments, the better it is for American farmers.

THE PRESIDING OFFICER. The Senator from Missouri.

Mr. BOND. Madam President, the staff has advised me they are working on getting a time agreement which would lead to a vote on this measure tomorrow. I will be proposing an amendment that has a number of bipartisan cosponsors. I think the cosponsors will want to speak on it. I intend that there will be others who wish to speak in opposition. Since this will be of some import, I hope we can work out an agreement on both sides for effective consideration of this amendment.

I would like to describe my amendment so people will get a flavor of what we are talking about in order to come to an agreement on the timethe and perhaps others may want to speak on it. I hope they will because I think it is a very significant amendment.

The purpose of the amendment I wish to propose is to provide some protection to farmers. The farm bill is designed to preserve and promote the agriculture sector of this economy and remain the backbone of our economy.

There are many ways to help farmers. One is to send them financial assistance. Another is to help provide capital through research and development to farm lending institutions to help farmers help open foreign markets, and they are all very important. I support the efforts that are being made to provide that assistance to farmers, but another way to help farmers is for Government not to hurt them, the absence of pain. This is important.

However important or well intentioned Government seems to be, one of the problems facing those in agriculture is the regulatory requirements and rules clearly are necessary and justified, but for those who may not meet the test, it is critical that we provide the Department of Agriculture, specifically the Secretary, with tools to represent the interests of farm families when conflicts arise.

We need to empower the USDA Secretary to have a stronger voice when she represents the needs of farmers in interagency matters.

The bipartisan amendment I will offer is cosponsored by Senators Grassley, Enzi, Hagel, and Miller. It is supported by the American Farm Bureau Federation, the National Cattlemen’s Beef Association, the National Corn Growers Association, the National Association of Wheat Growers, the National Cotton Council, and the Southern Peanut Farmers Federation.

I also have a letter in which the Missouri organizations support the amendment, including many of the significant entities in Missouri.

Mr. DORGAN. Madam President, the legislation is rapidly drawing to a close. We believe this will require the Senate to complete a thorough debate and achieve passage of the legislation by Wednesday evening, December 12.

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

December 12, 2001

Hon. Tom Daschle, Majority Leader, U.S. Senate, Washington, D.C.

Hon. Trent Lott, Majority Leader, U.S. Senate, Washington, D.C.

Dear Senators Daschle and Lott: The undersigned farm, commodity and lender organizations write to thank you for your efforts to expedite the debate and consideration of a new farm bill in the United States Senate, and to urge that the legislation be completed in a timely manner without delay. We believe it is vitally important that this legislation be enacted this year to provide an important economic stimulus to rural America and to urge that the legislation be completed in a timely manner without delay.

We fully understand that policy differences exist regarding this important legislation, and would encourage a healthy debate on these issues, but we are very concerned that the timeframe to pass this legislation is rapidly drawing to a close. We believe it is vitally important that the timeframe to pass this legislation be of some import, I hope we can work out an agreement on both sides for effective consideration of this amendment.

The purpose of the amendment I wish to propose is to provide some protection to farmers. The farm bill is designed to preserve and promote the agriculture sector of this economy and remain the backbone of our economy.

There are many ways to help farmers. One is to send them financial assistance. Another is to help provide capital through research and development to farm lending institutions to help open foreign markets, and they are all very important. I support the efforts that are being made to provide that assistance to farmers, but another way to help farmers is for Government not to hurt them, the absence of pain. This is important.

However important or well intentioned Government seems to be, one of the problems facing those in agriculture is the regulatory requirements and rules clearly are necessary and justified, but for those who may not meet the test, it is critical that we provide the Department of Agriculture, specifically the Secretary, with tools to represent the interests of farm families when conflicts arise.

We need to empower the USDA Secretary to have a stronger voice when she represents the needs of farmers in interagency matters.

The bipartisan amendment I will offer is cosponsored by Senators Grassley, Enzi, Hagel, and Miller. It is supported by the American Farm Bureau Federation, the National Cattlemen’s Beef Association, the National Corn Growers Association, the National Association of Wheat Growers, the National Cotton Council, and the Southern Peanut Farmers Federation.

I also have a letter in which the Missouri organizations support the amendment, including many of the significant entities in Missouri.
The amendment simply authorizes the Secretary of Agriculture to review proposed Federal agency actions affecting agricultural producers to determine if an agency action is likely to have a significant adverse economic impact or to jeopardize the personal safety of agricultural producers.

Should the Secretary find that an agency action would jeopardize the safety or the economic health of agricultural producers, i.e., farmers, it authorizes the Secretary to consult with the agency proposing the rule and identify for the agency alternatives that are least likely to harm farmers.

It makes sense that the agency serving agriculture looks at other regulations which may have a significant impact on farmers and say: This is going to cause a real problem. Can we not achieve the objectives of your regulation? Can we not carry out your purposes without having such a harmful impact on agriculture?

If the USDA and the Secretary cannot come to an agreement with the other agency proposing the regulatory action and the agency decides, despite the USDA’s best efforts to push forward with a final action that will have a significant adverse economic impact on or jeopardize the personal safety of agricultural producers, then the Secretary can elevate the decision to the White House, and the President is authorized under limited circumstances to remove the agency action if doing so is necessary to protect farmers and if it is in the public interest.

Under this amendment, the President would not be authorized to do so if the agency action is necessary to protect human health, safety, or national security. The President would have to consider the public record, the purpose of the agency action and competing economic interests, if any.

Finally, the legislation provides that a Presidential action taken pursuant to this authority could be subjected to expedited congressional review. In other words, the Secretary of Agriculture tries to work out an agreement with the agency. If the agency says, no, we are not going to make any changes, we are not going to work with you, then the Secretary has an option. The Secretary can take it to the President.

The President says to the agency proposing to take this action: Stop, you are not going to do it. At that point, Congress, by expedited action procedures we have already approved in other laws, can vote to overturn that Presidential action. So Congress has a role in this regulatory procedure that would not be subjected to filibuster.

In short, this proposal is designed to give farmers through their advocates and USDA a limited but considerable voice in agency actions that impact them directly.

In urging this amendment, it is my intention to provide additional discretion to the President to solve disputes between agencies when mandates may be in conflict and they are unable to come to terms and discretion would better serve the public than gridlock, legal action, or other delaying actions or unnecessary confusion. With discretion comes responsibility and accountability. I believe very strongly it is in the public interest for the people to choose the people identified for the agency alternatives that are least likely to harm farmers.

The amendment simply authorizes the Secretary of Agriculture to review proposed Federal agency actions affecting agricultural producers to determine if an agency action is likely to have a significant adverse economic impact or to jeopardize the personal safety which is jeopardized. This limited, and I believe measured, amendment is designed to do just that. What we are doing is strengthening laws that protect farm families.

I urge my Senate colleagues to consider this amendment very carefully, to provide their support, and to send a message to farmers that we believe farmers are worthy of protection; we want the Government to make every sensible attempt to act as advocates for farmers. We believe USDA should be on the side of farmers, and we believe the President and the Congress are capable of and can be trusted to weigh the public interest.

This says to the administration that farmers don’t always have to be at the very bottom of the food chain. Frankly, they start the food chain and they should be treated as part of that food chain.

I ask unanimous consent to have printed in the RECORD two letters of support, one from various national organizations dated December 7, and one dated December 10 from Missouri organizations.

There being no objection, the letters were ordered to be printed in the RECORD, as follows:

Hon. Kit Bond, U.S. Senate, Russell Senate Office Building, Washington, DC.

DEAR SENATOR BOND: We are writing to urge your support for the Bond amendment providing authority to the Secretary of Agriculture to review proposed federal agency actions that may have a significant adverse economic impact or jeopardize personal safety of farmers and ranchers.

These are very difficult times for agricultural procedures. The cost and burden of regulation on agriculture has grown exponentially over time and it is an important factor in their struggle to remain competitive, both domestically and internationally. We strongly support the Bond amendment and believe that it will result in government policy being implemented in a more efficient and cost-effective manner. We appreciate your concern for the well being of farmers and ranchers and urge your support of this amendment.

Sincerely,

AMERICAN FARM BUREAU FEDERATION.
NATIONAL ASSOCIATION OF WHEAT GrowERS.
NATIONAL COTTON COUNCIL.
NATIONAL CATTLEMAN’S BEEF ASSOCIATION.
NATIONAL CORN GrowERS ASSOCIATION.

Hon. Christopher S. Bond, U.S. Senate, Washington, DC.

DEAR SENATOR BOND: We applaud your ongoing efforts to reduce the regulatory burden facing our nation’s farmers and ranchers. It is entirely appropriate that the farm bill include language that will stifle the regulatory onslaught brought upon by bureaucrats who know little about modern agricultural practices.

Today, farmers and ranchers have enough to worry about—commodity prices are pitifully low, output prices more volatile than ever. Our members are being told they must be more competitive if they are to succeed in an
increasingly global trade environment. But unfortunately, our nation’s agricultural producers today find themselves fighting the federal government on issues such as water quality, access to crop and livestock protection tools, and appropriate nutrient management.

We believe your amendment will add much needed accountability to the regulatory process. Additional review of regulations by the Secretary of Agriculture, consultation with other agency heads, and the authority for Presidential intervention are dramatic improvements over current law.

We strongly support your amendment and urge other Senators to support its passage.

Simply,
Missouri Farm Bureau; Missouri Corn Growers Association; Missouri Pork Producers Association; Coalition to Protect the Mississippi River; Missouri Cattlemen’s Association; Missouri Soybean Association; MFA, Inc.; Missouri Dairy Association; The Poultry Federation.

Mr. BOND. I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. DASCHLE. Madam President, I ask unanimous consent the order for the quorum call be dispensed with.

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

Mr. DASCHLE. Madam President, we have made some progress today on the bill. I appreciate the cooperation of many of our colleagues. I know there is an amendment pending.

The distinguished Senator from Indiana has indicated other amendments could be offered tonight. I notify our colleagues we do not anticipate any other rollcall votes tonight. I hope some might still be prepared to offer amendments. We could stack the votes for tomorrow morning. We would like to keep going for awhile yet tonight. But in the interests of accommodating Senators with conflicting schedules, we will preclude the need for any additional rollcalls tonight. We will have those votes tomorrow should they be required.

I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. DASCHLE. Madam President, I ask unanimous consent the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection it is so ordered.

AMENDMENT NO. 2511 TO AMENDMENT NO. 271

Mr. DASCHLE. Madam President, I ask unanimous consent the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection it is so ordered.

The PRESIDING OFFICER. The amendment is as follows:

(Purpose: To direct the Secretary of Agriculture to establish within the Department of Agriculture the position of Assistant Secretary of Agriculture for Civil Rights.)

Strike the period at the end of section 1021 and insert a period and the following:

SEC. 1022. ASSISTANT SECRETARY OF AGRICULTURE FOR CIVIL RIGHTS.

(a) IN GENERAL.—Section 218 of the Department of Agriculture Reorganization Act of 1994 (7 U.S.C. 7014) is amended by adding at the end the following:

‘‘(f) ASSISTANT SECRETARY OF AGRICULTURE FOR CIVIL RIGHTS.—

‘‘(1) DEFINITION OF SOcially DISADVANTAGED FARMER OR RANCHER.—In this subsection, the term ‘socially disadvantaged farmer or rancher’ has the meaning given the term in section 355(e) of the Consolidated Farm and Rural Development Act (7 U.S.C. 2003(o)).

‘‘(2) ESTABLISHMENT OF POSITION.—The Secretary shall establish within the Department the position of Assistant Secretary of Agriculture for Civil Rights.

‘‘(3) APPOINTMENT.—The Assistant Secretary of Agriculture for Civil Rights shall be appointed by the President, by and with the advice and consent of the Senate.

‘‘(4) DUTIES.—The Assistant Secretary of Agriculture for Civil Rights shall—

‘‘(A) enforce and coordinate compliance with all civil rights laws and related laws—

‘‘(i) by the agencies of the Department; and

‘‘(ii) under all programs of the Department (including all programs supported with Department funds);

‘‘(B) ensure that—

‘‘(i) the Department has measurable goals for treating customers and employees fairly and on a nondiscriminatory basis; and

‘‘(ii) the goals and the progress made in meeting the goals are included in—

‘‘(I) strategic plans of the Department; and

‘‘(II) annual reviews of the plans;

‘‘(C) ensure the compilation and public disclosure of data critical to assessing Department civil rights compliance in achieving on nondiscriminatory basis participation of socially disadvantaged farmers and ranchers in programs of the Department on a non-discriminatory basis;

‘‘(D)(i) hold Department agency heads and senior executives accountable for civil rights compliance and

‘‘(ii) assess performance of Department agency heads and senior executives on the basis of success made in those areas;

‘‘(E) ensure, to the maximum extent practicable—

‘‘(i) a sufficient level of participation by socially disadvantaged farmers and ranchers in deliberations of county and area committees established under section 8(b) of the Soil Conservation and Domestic Allotment Act (16 U.S.C. 590z).

‘‘(ii) that participation data and election results involving the committees are made available to the public; and

‘‘(F) perform such other functions as may be prescribed by the Secretary.

(b) COMPENSATION.—Section 5315 of title 5, United States Code, is amended by striking ‘‘Assistant Secretary of Agriculture (2)’’ and inserting ‘‘Assistant Secretary of Agriculture (3)’’.

(c) CONFORMING AMENDMENTS.—Section 266(b) of the Farmers Market Revitalization Act of 1994 (7 U.S.C. 7014(b)) is amended—

(1) in paragraph (3), by striking ‘‘or’’ at the end;

(2) in paragraph (4), by striking the period at the end and inserting ‘‘; or’’; and

(3) by adding at the end the following:

‘‘(5) the authority of the Secretary to establish within the Department the position of Assistant Secretary of Agriculture for Civil Rights; and

Mr. DASCHLE. Madam President, minority farmers have worked America’s soil throughout our history. And while these farmers have done so much to advance American agriculture, they have experienced intense and often institutionalized discrimination in the process.

From the broken promise of ‘‘40 acres and a mule’’ during Reconstruction, to the discrimination inherent in many of the New Deal agriculture programs, to the first and second great migrations—during which so many left the land, never to return—the history of minority farmers in America has often been a history of hardship and struggle.

Our Nation has seen the result of that hardship in the dwindling number of minority farmers, and the dwindling acreage of minority farms.

In 1920, blacks owned 14 percent of our nation’s farms. Today there are only 18,000 black farmers, representing less than 1 percent of all farms.

Hispanics—who make up a large share of farm labor—account for a mere 1½ percent of all farm operators. For Native Americans, that number is half of 1 percent.

Perhaps most saddening is that the United States Department of Agriculture—the agency which was founded by Abraham Lincoln to be ‘‘the people’s Department’’ has often been part of the problem.

A 1982 report issued by the Civil Rights Commission stated that the United States Department of Agriculture was ‘‘a catalyst in the decline of the black farmer.’’ Statistics from that time show that only African-Americans received only 1 percent of all farm ownership.

A lawsuit filed in 1997 by more than 1,000 black farmers resulted in a historic settlement in which the government acknowledged significant civil right abuses against black farmers.

It is not enough to recognize and remedy past failings. We need to work to ensure that the USDA serves all of its customers fairly in the future.

That is why Senator LUIGAR and I are proposing that we establish an Assistant Secretary of Agriculture for Civil Rights.

The Assistant Secretary of Agriculture for Civil Rights would be responsible for compliance and enforcement of all civil rights laws within the USDA, including the compilation and disclosure of information regarding minority, limited resource, and women farmers and ranchers. He or she would set target participation rates for minorities, and make sure that other agency heads and senior executives will enforce for civil rights laws.

This past week, I received a letter in support of this amendment from the chairs of the Congressional Black Caucus, the Congressional Hispanic Caucus, and the
Congressional Asian Pacific Americans Caucus.

If they can speak with one voice in supporting this amendment, it is my hope that we can speak with one voice in passing it.

A while ago, PBS aired a film entitled “Homecoming.” It is a chronicle of black farmers from the Civil War to today. In it, a farmer named Lynmore James is interviewed.

I think his words guide our consideration of this amendment:

There is in my mind that a lot of land has been lost, and it was lost because of discrimination. But I don’t think we need to just close the books on it. I think that where people have been wronged, it should be righted.

The most lasting way to truly see those wrongs made right is to ensure that they are never repeated.

That is exactly what an Assistant Secretary of Agriculture for Civil Rights would do, and that is why I urge my colleagues to support this amendment.

The PRESIDING OFFICER. The Senator from Indiana.

Mr. LUGAR. Madam President, I am pleased to be a sponsor of an amendment that I think is truly important. The majority leader certainly outlined the basic reasons for it. But let me illuminate further.

From hearings we had before the Agriculture Committee in recent years during the period of time when I was privileged to serve as chairman, in each of those years we asked for reports from those responsible in USDA on progress in the area of civil rights disputes. There were so many. They were so complex and pervasive, and the backlog always seemed to be unusually and uncomfortably large.

Just last year we had an extensive hearing, and this came because the Secretary of Agriculture, then Dan Glickman, our former colleague from the House who had become the Secretary, had taken a great interest in this issue as a Member of the House and likewise in his new capacity. He recommended, after following the lead of the Civil Rights Action Team of the Department of Agriculture, that the head of civil rights become an Assistant Secretary. I think this is an appropriate time, in the farm bill, as we project agriculture and its governance for the next 7 years. I would simply say that the reasons for civil rights problems at the Department of Agriculture appear legion, but they are not simply problems of committees in the field, often a point of dispute in the past, but frequently allegations of disregarding in the administration of the Department itself, which is something that is here in Washington—or at least very much under the control of those who administer the Department.

When the word occurred—and certainly some will say this is precedent for the appointment of a similar Assistant Secretary ad seriatim in Cabinet after Cabinet post—and I appreciate that argument that has been offered from time to time—this is, I believe, a fortunately unique situation. Despite the best observation in a bipartisan way in our committee, and even with the cooperation of the Secretary of Agriculture, we do not have that.

So I am pleased the distinguished majority leader has taken this initiative. I was immediately pleased that he asked me to be involved with this effort, which I am delighted to do. I think this is a constructive amendment, and I am hopeful it will find the approval of our colleagues.

I yield the floor.

The PRESIDING OFFICER. The majority leader.

Mr. DASCHLE. Madam President, I thank the distinguished senior Senator from Indiana for his eloquence and for his willingness to be supportive of this amendment. It is always a pleasure to work with him. Certainly in this case it is, again, important. I appreciate very much his willingness to be involved.

I hope by the next time we pass a farm bill the numbers and the statistics and reports of continued erosion of minority involvement in agriculture can be turned around. As the distinguished Senator from Indiana has noted, this has not been necessarily by design. I think in large measure it has happened for reasons beyond the control of any one individual or any particular division of the Department of Agriculture. But we can do better. It is our hope that by putting somebody in charge we will do better.

It is our expectation that by the time we do another farm bill we can look back with some satisfaction that we indeed have done better and responded in a way that would make us far more satisfied about the progress that I believe we can make in this area.

With that, I yield the floor.

The PRESIDING OFFICER. Is there further debate on the amendment?

The Senator from Idaho.

AMENDMENT NO. 2511 TO AMENDMENT NO. 251
Mr. CRAIG. Madam President, I send a second-degree amendment to the desk.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Idaho [Mr. CRAIG] proposes an amendment numbered 2512 to amendment No. 251.

The PRESIDING OFFICER. The Senator from Idaho.

Mr. CRAIG. I ask the reading of the amendment be dispensed with.

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

The amendment is as follows:

(Purpose: To add provisions regarding nominations)
At the appropriate place, add the following:

SEC. 1. SENSE OF THE SENATE
It is the sense of the Senate that, before Congress creates new positions that require the advice and consent of the Senate, such as the position of Assistant Secretary for Civil Rights of the Department of Agriculture, the Senate should vote on nominations that have been reported by committees and are currently awaiting action by the full Senate, such as the nomination of Eugene Scalia to be Solicitor of the Department of Labor.

Mr. HARKIN. Madam President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. DASCHLE. Madam President, I ask unanimous consent that the order for quorum call be rescinded.

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

The PRESIDING OFFICER. Is there further debate on the second-degree amendment?

Mr. DASCHLE. Madam President, I ask unanimous consent that the second-degree amendment and the Daschle amendment be set aside to accommodate an amendment to be offered by the Senator from Missouri, Mr. BOND.

The PRESIDING OFFICER. Is there objection?

Mr. CRAIG. Madam President, recognizing that the set-aside would not in any way infringe upon the right of myself as a person who offered the second degree and certainly the majority leader offered the first degree, I do not object.

AMENDMENT WITHDRAWN NO. 251
Mr. DASCHLE. Madam President, to make things simpler, I withdraw my amendment.

The PRESIDING OFFICER. The Senator has that right.

Mr. DASCHLE. I thank the Chair.

Mr. CRAIG. I thank the Chair.

The PRESIDING OFFICER. The Senator from Iowa.

Mr. HARKIN. Madam President, I would like to inquire of the Senator from Missouri, as I understand it, the Senator wants an hour and a half on his amendment. Could we use some of that time tonight so that in the morning we could perhaps have some time?

Mr. DASCHLE. Madam President, if my friend will yield, I spoke to Senator BOND. He indicated he would be willing to accept any way infringe upon the right of myself as a person who offered the second degree and certainly the majority leader offered the first degree, I do not object.

The PRESIDING OFFICER. The Senator from Iowa.

Mr. HARKIN. Madam President, I would like to inquire of the Senator from Missouri, as I understand it, the Senator wants an hour and a half on his amendment. Could we use some of that time tonight so that in the morning we could perhaps have some time?

Mr. DASCHLE. Madam President, if my friend will yield, I spoke to Senator BOND. He indicated he would like to speak tonight. He has four or five people who wish to speak tomorrow. He indicated he would be willing to accept 1 1/2 hours equally divided in the morning.

He would want to count against the 90 minutes.

Mr. BOND. Madam President, there are a number of cosponsors who wish to
Mr. DASCHLE. Madam President, will the Senator yield for the purpose of a unanimous consent request?

Mr. BOND. Certainly.

Mr. DASCHLE. Madam President, I appreciate very much the Senator from Missouri yielding for that purpose.

I was going to inform my colleagues that we have already noted there will be filing of cloture tonight. I know there are Senators who are asking about Friday and Monday. I am not going to propound the unanimous consent request because I don’t think it has been properly vented on each side. I suggest that perhaps we could have cloture tomorrow and that we would be prepared to forego votes on Friday and Monday and still take into account the need to consider the so-called Cochran-Roberts amendment regardless of cloture.

My thought is that we file cloture and vote on cloture and have consideration of the Cochran-Roberts amendment with some expectation of a vote at a later time on that. Whether or not that could be accomplished is still in question. But that is something that I suggest to our colleagues that will be a possibility: File cloture tonight, have a vote on that either tomorrow or Friday. If we have it tomorrow, we could still bring up the so-called Cochran-Roberts amendment for consideration.

I thank my colleague, I thank the Senator from Missouri.

Mr. REID. Madam President, will the majority leader yield for a question?

Mr. DASCHLE. Yes.

Mr. REID. I understand the majority leader, cloture will be filed tonight, and, if we have a vote on that tomorrow, we will not be in session on Friday—at least no votes on Friday or Monday.

Mr. DASCHLE. I draw the distinction. We will certainly be in session on Friday. My hope is we could bring up a conference report, and maybe a conference report on education on Monday, but not have any votes.

That, again, will be up to all of our colleagues on both sides of the aisle. We have not hot-lined it. I just wanted to make that proposal and see what kind of reaction we would get. That would be the proposal, and I will have more to say about that at a later time. I thank the Senator from Missouri.

The PRESIDING OFFICER (Ms. CANTWELL). The Senator from Missouri.

Mr. BOND. Madam President, we had discussed a 90-minute time agreement on this amendment. First, what is the pending business so we may be sure the amendment is to the appropriate measure?

The PRESIDING OFFICER. The pending business is the Daschle substitute amendment.

Mr. BOND. Amendment number 2471?

The PRESIDING OFFICER. That is correct.

Mr. DASCHLE. Madam President, if the Senator will yield for a unanimous consent request which I think he thought I was going to make the first time, I ask unanimous consent that when the Senate resumes consideration of S. 1731, at 1:00 p.m. on Thursday, December 13, there be 90 minutes for debate prior to vote in relation to the bond amendment with the time equally divided and controlled in the usual form with no intervening amendment in order prior to the vote.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered. Mr. DASCHLE. I thank my colleagues.

The PRESIDING OFFICER. The Senator from Missouri.

AMENDMENT NO. 2131 TO AMENDMENT NO. 2471

Mr. BOND. Madam President, I send an amendment to the desk on behalf of myself and Senator Grassley, Senator Enzi, Senator Hagel, and Senator Miller, and I ask that it be considered pursuant to the time agreement just entered.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Missouri [Mr. BOND], for himself, Mr. Grassley, Mr. Enzi, Mr. Hagel, and Mr. Miller, proposes an amendment numbered 2511 to amendment No. 2471.

Mr. BOND. Madam President, I ask unanimous consent that reading of the amendment be dispensed with.

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

The amendment is as follows:

(Purpose: To authorize the Secretary of Agriculture to conduct a new Federal agency actions affecting agricultural producers)

Strike the period at the end of section 1034 and insert a period and the following:

SEC. 1035. REVIEW OF FEDERAL AGENCY ACTIONS AFFECTING AGRICULTURAL PRODUCERS.

(a) DEFINITIONS.—In this section:

(1) AGENCY ACTION.—The term “agency action” has the meaning given the term in section 551 of title 5, United States Code.

(2) AGENCY HEAD.—The term “agency head” means the head of a Federal agency.

(3) AGRICULTURAL PRODUCER.—The term “agricultural producer” means the operator of a small or medium-sized farm or ranch.

(b) REVIEW OF AGENCY ACTION BY SECRETARY.—

(1) IN GENERAL.—If, after a proposed agency action is finalized, the Secretary determines that a proposed agency action is likely to have a significant adverse economic impact on, or jeopardize the personal safety of, agricultural producers, the Secretary—

(A) shall consult with the agency head; and

(B) may advise the agency head of alternative actions to the agency action that would be least likely to have a significant adverse economic impact on, or least likely to jeopardize the personal safety of, agricultural producers.

(2) PRESIDENTIAL REVIEW.—

(A) review the determination of the Secretary; and

(B) reverse, preclude, or amend the agency action if the President determines that a proposed agency action has been properly vented on each side.

(c) NOTIFICATION.—

If, after a proposed agency action is finalized, the President determines that the agency action would be least likely to have a significant adverse economic impact on, or jeopardize the personal safety of, agricultural producers; and

(i) is in the public interest.

(2) CONSIDERATIONS.—In conducting a review under paragraph (1)(A), the President shall consider—

(A) the determination of the Secretary under subsection (c)(1);

(B) the public record;

(C) any competing economic interests; and

(D) the purpose of the agency action.

(3) CONGRESSIONAL NOTIFICATION.—If the President reverses, precludes, or amends the agency action under paragraph (1)(B), the President shall—

(A) notify Congress of the decision to reverse, preclude, or amend the agency action; and

(B) submit to Congress a detailed justification for the decision.

(4) LIMITATION.—The President shall not reverse, preclude, or amend an agency action that is necessary to protect—

(A) human health;

(B) safety; or

(C) national security.

(d) CONGRESSIONAL REVIEW.—Reversal, preclusion, or amendment of an agency action under subsection (c)(1)(B) shall be subject to section 802 of title 5, United States Code.

Mr. BOND. Madam President, I thank my colleagues for their courtesy. We look forward to continuing this debate in the morning.

I thank the Chair.

Mr. REID. I suggest the absence of a quorum.

The PRESIDING OFFICER (Ms. CANTWELL). The clerk will call the roll.

The assistant legislative clerk read as follows:

Mr. DASCHLE. Madam President, I ask unanimous consent that reading of the amendment be dispensed with.

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

SEC. 1035. REVIEW OF FEDERAL AGENCY ACTIONS AFFECTING AGRICULTURAL PRODUCERS.

(a) DEFINITIONS.—In this section:

(1) AGENCY ACTION.—The term “agency action” has the meaning given the term in section 551 of title 5, United States Code.

(2) AGENCY HEAD.—The term “agency head” means the head of a Federal agency.

(3) AGRICULTURAL PRODUCER.—The term “agricultural producer” means the operator of a small or medium-sized farm or ranch.

(b) REVIEW OF AGENCY ACTION BY SECRETARY.—

(1) IN GENERAL.—The Secretary may review any agency action proposed by any Federal agency to determine whether the agency action would be likely to have a significant adverse economic impact on, or jeopardize the personal safety of, agricultural producers.

(2) PRESIDENTIAL REVIEW.—The Secretary determines that a proposed agency action is likely to have a significant adverse economic impact on, or jeopardize the personal safety of, agricultural producers; and

(i) is in the public interest.

(2) CONSIDERATIONS.—In conducting a review under paragraph (1)(A), the President shall consider—

(A) the determination of the Secretary under subsection (c)(1);

(B) the public record;

(C) any competing economic interests; and

(D) the purpose of the agency action.

(3) CONGRESSIONAL NOTIFICATION.—If the President reverses, precludes, or amends the agency action under paragraph (1)(B), the President shall—

(A) notify Congress of the decision to reverse, preclude, or amend the agency action; and

(B) submit to Congress a detailed justification for the decision.

(4) LIMITATION.—The President shall not reverse, preclude, or amend an agency action that is necessary to protect—

(A) human health;

(B) safety; or

(C) national security.

(d) CONGRESSIONAL REVIEW.—Reversal, preclusion, or amendment of an agency action under subsection (c)(1)(B) shall be subject to section 802 of title 5, United States Code.

Mr. BOND. Madam President, I thank my colleagues for their courtesy. We look forward to continuing this debate in the morning.

I thank the Chair.

Mr. REID. I suggest the absence of a quorum.

The PRESIDING OFFICER (Ms. CANTWELL). The clerk will call the roll.

The assistant legislative clerk read as follows:

Mr. DASCHLE. Madam President, I ask unanimous consent that reading of the amendment be dispensed with.
The PRESIDING OFFICER. The closure motion having been presented under rule XXII, the Chair directs the clerk to read the motion.

The legislative clerk read as follows:

CLOSURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, hereby move to bring to a close the debate on the Daschle for His amendment re-291 for Calendar No. 237, S. 1731, the farm bill.

Title Johnson, Harry Reid, Barbara Boxer, Thomas R. Carper, Zell Miller, Max Baucus, Kent Conrad, Mark Dayton, Deborah Stabenow, Richard J. Durbin, James M. Jeffords, Thomas A. Daschle, Blanche Lincoln.

COUNTRY OF ORIGIN LABELING

Mr. JOHNSON. Madam President, it has been brought to my attention that there are unique concerns about how perishable agricultural commodities are labeled under the country-of-origin labeling provision in the farm bill. Unlike meat products that are oftentimes either wrapped or displayed behind glass, shoppers physically handle produce to evaluate such characteristics as size or ripeness. Quite honestly, after purchase by a consumer, a fruit or vegetable item is not always returned to the original bin in which the product was displayed. For this reason, each individual produce item may need to be labeled when physically possessed by the consumer, and retailers to develop a means to provide such labels or labeling information about the country of origin.

I am confident the method of notification language in the labeling provision in the farm bill will ensure responsibility in information-sharing on the part of processors, retailers, and others under this act. Our language requires any person that prepares, stores, handles, or distributes a covered commodity for retail sale to maintain records about the origin of such products and to provide information regarding the country of origin to retailers. Nonetheless, I understand retailers have some concerns about making sure they are provided with accurate information. Therefore, so that we can be confident this is workable for retailers and others, I would like to recommend to my lead cosponsor of this legislation, Senator GRAHAM of Florida, that we consult with the growers, packers and retailers to develop a means to provide such labels or labeling information to retail stores.

Mr. GRAHAM. Mr. President, I thank the Senator from South Dakota. Senator JOHNSON, I appreciate your comments.

My primary objective in pursuing country-of-origin labeling is to provide consumers with accurate information about where their produce is grown. My home State of Florida has required mandatory country-of-origin labeling of fresh fruits and vegetables for over 20 years, and Florida consumers have made it known that they appreciate the availability of this information.

Many domestic products are already labeled for promotion purposes. Our proudly labeled “Florida Oranges” are a great example of a successful marketing tool. There are any number of ways to label produce, including price-look-up stickers, plastic and cardboard tape, paper wraps, or even to bar code to bar labels. Produce items are increasingly being branded as another method of labeling. In recognition of this fact, the labeling provision included in Senator HARKIN’s farm bill provides the flexibility to use items by any visible and practical means.

That said, I understand retailers would prefer to receive their produce shipments with country-of-origin labels already affixed to each piece of produce. To some degree, growers and packers are already labeling their products, and retailers are not required to provide further information if this is the case.

Regarding those products that do not arrive at the grocery store already labeled, I encourage growers and shippers to continue to do this and to work with retailers to find the most efficient methods to provide accurate country-of-origin information and labeling.

I too have brought to a close the debate on the Daschle for His amendment, and I look forward to helping everyone identify the best methods to implement labeling legislation and ensure that consumers have ready access to country-of-origin information.

Ms. CANTWELL. Madam President, I rise today, along with my distinguished colleagues Senator MURRAY from Washington State and Senator INOUYE from Hawaii in support of two amendments to the Agriculture, Conservation, and Rural Development Act of 2001 to promote cooperation between Indian tribes and the United States Forest Service in the management of forest lands.

This legislation would amend the Cooperative Forestry Assistance Act of 1978 to establish an Office of Tribal Relations and other cooperative programs within the Forest Service to better provide for the joint efforts of the Forest Service and Indian tribes. If the purpose of the Cooperative Forestry Assistance Act is to improve the management, resource production, and environmental protection of nonfederal forest lands, then the 17 million acres of land held by Indian tribes and individual Indians should be included as a component of this law to facilitate cooperative management of our forests.

Tribes have a significant role to play towards our national goal of ensuring that forests are managed as both sustainable resources and enduring habitats. Again, tribes or tribal members are responsible for the management of approximately 17 million acres of forest land, which is about 750 million board feet of sustainable annual harvest. Much of this land shares borders with Forest Service land, and tribes also possess treaty rights within Forest Service land. The Forest Service and tribes are linked not only by common interest but also by a very practical need to work together.

Currently tribes may participate in programs such as the Forest Service Incentives and Forest Stewardship programs under sections 4 through 6 of the Cooperative Forestry Assistance Act. These programs provide assistance to private landowners in order to keep their forest land healthy and viable. Federal tribal programs are designed for cooperation with State governments and do not appropriately take into account the government-to-government and trust relationships that tribes have with the Federal Government. Also, there is general lack of understanding among tribes and Forest Service personnel regarding how the existing cooperative assistance programs would extend to individual Indians with land held in trust. As a result, tribes and individual Americans possess treaty, legal, and historical ties to land, which the programs do not consider.

In October 1999, the Chief of the Forest Service established a National Tribal Relations Task Force to study the involvement in the management of both Forest Service and Indian-held lands. The Task Force included representatives from the Forest Service, the Bureau of Indian Affairs, BIA, and the Intertribal Timber Council. The Task Force found that cooperative forestry programs that specifically work with tribal communities are greatly in need in order to establish equity in forestry assistance and to fulfill stewardship responsibilities towards the management of forest lands held in trust.

This legislation responds to the need to improve tribal-Forest Service coordination by allowing the Secretary of the Department of Agriculture to provide information, technical, and educational assistance for coordination on shared land, land under the jurisdiction of Indian tribes, and Forest Service land to which tribes may have interests and rights.

The Task Force similarly found, and I quote directly from the report, that “the current Forest Service tribal relations program lacks the infrastructure and support necessary to ensure high quality interactions across programs with the individual Tribal governments. The Task Force found that ‘the Forest Service lacks the resources, staffing, and expertise necessary to carry out its mission on a government-to-government basis.’” My colleagues and I would like to improve the Forest Service’s ability to interact effectively with tribes by adding an Office of Tribal Relations within the Forest Service to coordinate with a Director appointed by the Chief of the Forest Service.

This office will be responsible for the oversight of all programs and policies relating to tribes. This legislation outlines that it would be the duty of the Office of Tribal Relations to consult with tribal governments, monitor and evaluate the relations between tribal governments and the Forest Service, and coordinate matters affecting tribes.
December 12, 2001

CONGRESSIONAL RECORD — SENATE

S13041

in a way that is comprehensive and responsive to tribal needs. This office will also cooperate with the other agencies of the Department of Agriculture, the Department of Interior, and the Environmental Protection Agency.

It is important that the Forest Service be able to effectively work with tribal communities. At this point, we know from the Forest Service, the BIA, and the Intertribal Timber Council that the Forest Service lacks the programmatic structure to be able to accommodate and effectively work with tribes and those holding trust lands due to their unique legal and organizational status. As an arm of the Federal Government, the Forest Service must uphold the trust responsibilities we have towards tribes. I believe that we have a duty, to tribes and to our forests, to respond to tribes’ expressed desire for assistance with forest resource planning, management, and conservation with this legislation. I would like to thank Senator Daschle, Senator Baucus, and Senator Wellstone for their support, and I urge the rest of my colleagues to support these amendments as well.

Mr. DASCHLE. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. REID. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

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

MORNING BUSINESS

Mr. REID. I ask consent that the Senate now proceed to morning business, with Senators permitted to speak for up to 10 minutes each.

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

THE NEED TO PASS MTBE LEGISLATION

Mr. SMITH of New Hampshire. Mr. President, I would like to engage the majority leader in a colloquy. As the majority leader knows, I have been working for nearly two years on legislation to deal with the serious problems associated with the gasoline additive MTBE. The use of MTBE as a fuel additive grew tremendously starting in the late 1980s and the 1990s in response to the clean air act’s reformulated gasoline program that was implemented in 1995. Today, MTBE makes up approximately 3 percent of the total national fuel market.

Unfortunately, when leaked or spilled into the environment, MTBE can cause serious drinking water quality problems. MTBE moves quickly through land and water with no effective barrier. The purposes of MTBE can render water supplies undrinkable. This contamination is persistent throughout the nation, and New Hampshire is certainly a State that has been hard hit. According to State officials, up to 40,000 private wells may be contaminated with MTBE. Up to 8,000 of those wells may have MTBE contamination over the State health standards. Areas especially hard hit include both rural and urban areas. In the past few years I have visited, as well as received many calls and letters from, a number of the families whose wells are contaminated and they are extremely frustrated. When I was the chairman of the Environment & Public Works Committee, I held a field hearing in Salem, NH on this issue. Last Congress, I introduced legislation to clean up this contamination and ban the further use of MTBE. The bill was reported out of the EPW Committee, however, circumstances prevented the full Senate from considering that bill. Again this year, I introduced MTBE legislation, and once again the EPW Committee reported it out with a strong bipartisan vote. S. 950 will provide for the clean gasoline program, phase out the additive, and ensure that environmental benefits of the clean gasoline program will be maintained. This is a hardship in many communities, and it will continue to escalate unless it is dealt with soon. No American should have to be concerned with the water they drink.

Mr. DASCHLE. Yes, I do understand the problems associated with MTBE and I recognize your hard work in helping to bring about a resolution to this important issue. I also share the concern of the Assistant Majority Leader, co-sponsor of S. 950, with regards to the devastating contamination found in communities surrounding Lake Tahoe, NV.

Mr. SMITH of New Hampshire. Because this is such a vital issue to New Hampshire and the nation, it is my intention to do all within my power to see that the Senate acts on this matter. I am aware of the efforts of the majority leader to work with me in bringing this bill to the floor and would hope that the Senate will consider S. 950 in the near future. Will the majority leader provide me an assurance that this will happen?

Mr. DASCHLE. I agree that the Senate should vote on MTBE legislation in the near future and have included S. 950 in the comprehensive energy bill that I introduced with Senator Binga-Debate later this week. As the Senator from New Hampshire that it is my intention to bring up for debate and votes before the full Senate that energy bill, including S. 950, prior to the President’s Day recess in February 2002.

ZIMBABWE DEMOCRACY AND ECONOMIC RECOVERY ACT: A SIGNAL OF U.S. COMMITMENT TO RULE OF LAW, HUMAN RIGHTS, AND DEMOCRATIC PRINCIPLES

Mr. BIDEN. Madam President, I am pleased to see that after a delay of several months, the House has acted on the Zimbabwe Democracy and Economic Recovery Act of 2001, of which I am a co-sponsor, and that we can finally send this bill to the President for his signature.

The Foreign Relations Committee reported this bill in July, and it passed the Senate by unanimous consent on August 1. Since then, the situation in Zimbabwe has deteriorated rapidly. Respect for human rights and the rule of law have been systematically subverted by Zimbabwe’s ruling party, and indeed by President Robert Mugabe himself. President Mugabe has supported the invasion of farms by so-called “war veterans,” he has intimidated judges, harassed the free press, forbidden international monitors to observe next year’s presidential elections and packed the supreme court with cronies in a misguided attempt to give his actions a patina of legitimacy.

Under Mugabe’s leadership the economy of Zimbabwe has been reduced to its knees. The GDP has shrunk by 20 percent since 1999 and 40 percent since 1997. The foreign exchange market is frozen, and the black market rate is over 100 to the dollar. The government now controls all advertising on national television, and nearly all of the newspapers are government owned and operated. Today, I join with colleagues in the House to again condemn the actions of President Mugabe and the government of Zimbabwe, which continue to subvert democratic institutions and create an environment in which the rule of law is not observed.

The Government of Zimbabwe has regularly committed serious human rights abuses, including extrajudicial killings, arbitrary arrests, torture, and disappearances. Under Mugabe’s leadership, the government has systematically undermined the rule of law and set back Zimbabwe’s democratic progress.

Mr. BIDEN. The government has systematically undermined the rule of law and set back Zimbabwe’s democratic progress.
characterized as nothing more, or less, than a shameless power grab. According to news reports current polls show that the leading opposition party has more support than Mugabe. No doubt this will cause an even more heinous crackdown on political opposition and the lead up to the elections. While I sincerely hope that Mugabe comes to his senses and allows for the presence of international observers during the upcoming presidential elections, I doubt that he will. Perhaps passage of this resolution is a signal to the government of Zimbabwe that the United States is serious about its position on the rule of law, human rights and democracy. The tragedy that has unfolded in what was once a stable prosperous country must not be ignored.

INTRODUCING ADOLOFO FRANCO

Mr. MCCAIN. Madam President, last week I had the privilege of introducing Adolfo Franco to the President’s nominee to be Assistant Administrator for Latin America at the United States Agency for International Development, to the Committee on Foreign Relations. The President has made a wise choice of his important position, and I commend him for it. I also commend Mr. Franco to all of my colleagues as they consider their vote on his nomination, and I ask unanimous consent to print in the RECORD, my statement introducing Mr. Franco before the Committee.

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

INTRODUCING ADOLOFO A. FRANCO TO THE SENATE COMMITTEE ON FOREIGN RELATIONS

Adolfo Franco was born in Cardenas, Cuba. His family emigrated to the United States in 1961, when he was 5 years old, and settled in Cedar Falls, IA. Blessed with wonderful parents and the opportunities afforded him in a free society, Adolfo has led an accomplished life of public service. And the good and faithful service he has given our country for nearly three decades has been a splendid tribute to his own fine character, to his parents, and to the great civilization that welcomes the genius and industry of all Americans, whether native born or newly arrived.

He is a graduate of the University of Northern Iowa and the Creighton University School of Law. He came to Washington in 1982 as Counsel to the Inter-American Foundation, and his service with that organization for fifteen years as Deputy General Counsel, General Counsel, Senior Vice President and, finally, President of the Foundation.

For the last two years, Adolfo has served as a Professional Staff Member on the House International Relations Committee where, as Chairman Hyde will attest, he has provided invaluable counsel on the full range of foreign assistance programs including U.S.A.I.D. programs and operations.

He is uniquely well-qualified for the position the President has selected him for. Assistant A.I.D. Administrator for Latin America. And I am very confident that in that capacity, Adolfo, with his characteristics of energy, intelligence and patriotism, will quickly prove himself an invaluable asset to A.I.D., to the President and to the country he has long served so well.

He is an exceptional person, a devoted and talented public servant of exemplary character. I commend and thank the President for nominating him, and I consider it an honor to introduce him to the Committee.

America is among his parents’ greatest gifts and he has made it his life’s mission to earn as much as a career public servant all Americans can be proud of. I recommend him to the Committee with the highest praise. I can offer an American: he is a credit to his country.

CHANGES TO H. CON. RES. 83 PURSUANT TO SECTION 215

Mr. CONRAD. Madam President, section 215 of H. Con. Res. 83, the fiscal year 2002 budget resolution, permits the chairman of the Senate Budget Committee to make adjustments to the allocation of budget authority and outlays to the Senate Committee on Health, Education, Labor, and Pensions, provided certain conditions are met.

Pursuant to section 215, I hereby ask unanimous consent to print in the RECORD the following revisions to H. Con. Res. 83.

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

| Current Allocation to the Senate Health, Education, Labor, and Pensions Committee: |
|---------------------------------|---------------------------------|
| FY 2002 Budget Authority         | FY 2002 Outlays                 |
| 109,838                          | 9,419                           |
| FY 2002–06 Outlays               | FY 2002–11 Outlays              |
| 9,419                            | +6,590                          |
| FY 2002–06 Budget Authority      | FY 2002–11 Budget Authority     |
| 51,595                           | 102,173                         |
| FY 2002–06 Adjustments           | FY 2002–11 Adjustments          |
| 0                                | +7,665                          |
| FY 2002–06 Outlays               | FY 2002–11 Outlays              |
| +2,840                           | +97,860                         |
| FY 2002–06 Budget Authority      | FY 2002–11 Budget Authority     |
| +3,440                           | +102,173                        |
| FY 2002–06 Adjustments           | FY 2002–11 Adjustments          |
| 0                                | +7,665                          |
| FY 2002–06 Outlays               | FY 2002–11 Outlays              |
| +4,650                           | +97,860                         |
| Revised Allocation to the Senate Health, Education, Labor, and Pensions Committee: |
|---------------------------------|---------------------------------|
| FY 2007 Budget Authority         | FY 2007 Outlays                 |
| 10,179                           | 9,419                           |
| FY 2007–11 Outlays               | FY 2007–11 Outlays              |
| 9,419                            | +97,860                         |
| FY 2007–06 Outlays               | FY 2007–11 Outlays              |
| +2,840                           | +102,173                        |
| FY 2007–06 Adjustments           | FY 2007–11 Adjustments          |
| 0                                | +7,665                          |
| FY 2007–06 Outlays               | FY 2007–11 Outlays              |
| +4,650                           | +97,860                         |

INCENTIVES TO TRAVEL

Mr. KYL. Madam President, three months ago, we experienced an unprovoked attack on our country. America took a terrible hit, but we have rebounded and we have reminded the world of the strength of the American people.

Three months ago, one industry in particular was stricken, and it continues to struggle to regain its footing. When our government shut down our airways, it also shut down our travel and tourism industry.

Under the headline, “Travel Downtown Spreads More Woes,” the December 11 Wall Street Journal reminded us that the industry remains in dire straits. I ask unanimous consent that the article be printed in the RECORD at the conclusion of my remarks.

The PRESIDING OFFICER. Without objection it is so ordered.

(See Exhibit 1)

Mr. KYL. The article focuses on the neighborhood around Los Angeles Airport, but it describes a scene all too familiar to many of us:

Today, planes are once again buzzing just 300 feet above the heads of the people of Lennox. But something even scarier has befallen them. The meltdown in the travel and tourism business has claimed thousands of their jobs.

Working together, the government and industry leaders can help the industry recover. By now, my colleagues and I have seen the television advertisements sponsored by the Travel Industry Association of America. Featuring President Bush, this privately supported advertising campaign encourages Americans to travel, to see our great country again, and to enjoy our many blessings. Now that the industry has stepped forward, it is time for us to do our part.

The time has come to enact a personal travel credit to get Americans on the road and in the air again. I am pleased that travel-credit legislation has broad, bipartisan support. Now is the time to translate that support into action. With the slowest travel months of the year about to begin, let’s give the American public an incentive to travel. Let’s get a credit enacted quickly. Let’s bring families together and let’s get Americans enjoying the blessings of our country again. In short, let’s get America traveling again.

EXHIBIT I

(From the Wall Street Journal, Dec. 11, 2001)

TRAVEL DOWNTOWN SPREADS MORE WOES

(By Eduardo Porter)

LENNOX, CALIF.—Something strange washed over this area following the terrorist attacks on Sept. 11. Quiet.

With planes grounded across the U.S., residents of this crowded community abutting Los Angeles airport weren’t assaulted by the sound of jet engines for the first time in anybody’s memory. The sudden silence was so odd that the usual deafening roar that “kids were scared” by it, says Maria Van Deventer, assistant principal at Jefferson Elementary School.

Today, planes are once again buzzing just 300 feet above the heads of the people of Lennox. But something even scarier has befallen them. The meltdown in the travel and tourism business has claimed thousands of their jobs.

As much as any place in America, this 1.3-square-mile unincorporated area of Los Angeles County has been the victim of post-Sept. 11 economic fallout. Because this is a heavily commercial area, the majority of its 23,000 residents employed at the third busiest airport in the world and related businesses, Lennox has become a ground zero of sorts for the impacted travel and tourism industry.

The impact of the near collapse in the industry has left a footprint on almost every firm, from airline caterers to airport concession owners, has also been hit hard. Lennox has become a ground zero of sorts for the impacted travel and tourism industry.

The sound of jet engines for the first time in anybody’s memory. The sudden silence was so odd that the usual deafening roar that “kids were scared” by it, says Maria Van Deventer, assistant principal at Jefferson Elementary School.
immigrants from Mexico and Central America, have been laid off in the past 2 1/2 months. But job losses—more than 8,000 at the airport alone and thousands more at area shops, hotels and restaurants—that depend on travel—have shot through the community. Isabel Gurdian lost her job cleaning planes on Sept. 12. A few weeks later Gladys Barraza, a cashier at the air-port’s City Deli, Margarita Urióstegui, who washed dishes at airline caterer Dobbs International Services, was let go, too. Alfonso Martinez, 51, at the New Otani hotel, got lucky. His workweek—and income—were cut by only two-thirds.

The airport has closed through Lennox’s dusty streets. Sales are down about 30% at Daisy’s Party Supply on Inglewood Ave. Where a pinata of Osama bin Laden dangles from a huge can of beer and Winnie the Pooh. And they’re off about a fifth at El Taco Macho, just across the border in Hawthorne, even though 9 of America’s flags have been added to an eclectic menu of tacos and seafood cocktails. Business also has plummeted at Noemy’s Beauty Salon, which doubles as reattire outlet and day care for local residents back to relatives in Latin America. On a recent Friday, shop owner Margot Noemy Caziales waited all morning for customers to shop. None did.

The pain is felt far away as Jiquilpan, in central Mexico, which has dispatched workers to Lennox for decades. “The whole town depends on the labor that came from here,” says Martin Orejel, a Lennox resident who has had his work hours slashed as a bartender and bus-boy at a Ramada hotel not far from the border. “Now, jokes, ‘we need them to send money here.’”

At the second floor offices of local 814 of the Hotel Employees International Union, the newly laid off lined up to receive money from the union. “I made $53,000 last year,” says cement mixer, environmental impacts on fish-eries and the Congressional Research Service. The report will be available on the Subcommittee’s website.

In January 2001, I asked the CRS to conduct a survey of remote sensing data and technology use by Federal non-military agencies. Subcommittee staff used the CRS survey results, included in the report as an appendix, and collected agency responses to analyze how Federal agencies use remote sensing. It is my hope that this report will enable Congress to better understand the issues that arise in obtaining and applying the technology. The widespread availability of detailed and timely satellite remote sensing data has made the world increasingly transparent. Observational capabilities that only a few decades ago were classified and strictly limited are now owned and operated by both government and private-sector organizations. For example, Space Imaging, a private satellite data company’s web site contains satellite photos of the attack on Kandahar.

Satellite images have also revolutionized the study of the natural environment and global hazards; agriculture, transportation and urban planning, law enforcement, education, energy use, public health trends, and international policy. Researchers in my State of Hawaii, in partnership with NASA, NOAA and others, use remote sensing data for many purposes, such as to monitor water temperature and climate variability for tsunami early warning and evacuation planning, environmental impacts on fisheries, and volcanic activity monitoring.

There is now a national capability to provide remote-sensing data products and value-added information services directly to end users, such as farmers, foresters, fishermen, natural resource managers, and the public. Just this fall, researchers demonstrated on the island of Kauai how remote sensing data from unmanned aerial vehicles could be used to help farmers know precisely when a coffee crop is ready for harvesting.

New imaging technology and new data systems provide a rich opportunity for federal agencies to improve their services. The nineteen agencies included in this study span the roles of the federal government from basic research centers to law enforcement. All but four report some use of remote sensing data and technology. These agencies have faced the difficult task of balancing national priorities, especially national security concerns, with the need to use their resources more fully and efficiently. Many agencies have difficulties due to cost and licensing of commercial data and value-added products and analysis, as well as other access concerns. Several agencies concerned about their ability to exploit fully remote sensing data and technology, mostly due to a shortage of trained personnel within the agencies to analyze and interpret data.

This report offers several options to address these concerns, but these are not the only possible solutions. Nor are they suggestions for action. The Federal Government uses remote sensing data in many ways, and it is unlikely that a single solution will solve all the problems associated with this use. Since the first photographs of enemy troop positions from a hot air balloon in 1866, there have been military and intelligence applications of remote sensing data. Proliferation of terrorism and homeland security concerns, users now include local first responders, city planners, and State officials. This creates a new challenge for commercial and government data providers to translate our impressive imaging technology into a capability that can be exploited by users quickly and easily.

I would like to thank the staff of the Congressional Research Service, especially Marcia Smith, for her assistance in preparing this report.

LOCAL LAW ENFORCEMENT ACT OF 2001

Mr. SMITH of Oregon. Madam President, I rise today to speak about hate crimes legislation I introduced with Senator KENNEDY in March of this year. The Local Law Enforcement Act of 2001 would add new categories to current hate crimes legislation sending a signal that violence of any kind is unacceptable in our society.
Mr. President, I ask unanimous consent that a copy of my letter to Senator DASCHLE be printed in the RECORD.

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

U. S. SENATE, WASHINGTON, DC, DECEMBER 12, 2001
HON. TOM DASCHLE, MAJORITY LEADER, UNITED STATES SENATE, WASHINGTON, DC.

DEAR MR. LEADER: As you know, Senator Bond and I have introduced and are trying to gain Senate passage of S. 1499, the "American Small Business Emergency Relief and Recovery Act of 2001." This legislation, supported by 63 Senators, would provide emergency and immediate financial assistance to small businesses around the country who are suffering tremendous financial loss following the terrorist attacks of September 11, 2001. More specifically, the bill would leverage $25 billion in loans and venture capital to aid small businesses. The bill has widespread support in the business community, and is endorsed by organizations concerned with the financial health of small businesses including the US Chamber of Commerce, the National League of Cities, the US Conference of Mayors and the National Restaurant Association.

Despite the widespread and bipartisan support for this legislation, Senator Kyl continues to block its consideration by the Senate. Yesterday, Senator Kyl noted his concerns are based in large part on objections raised by the Administration. Senator Bond and I have attempted to negotiate with Senator Kyl and the Administration so that an agreement could be reached to move this legislation. However, it has become increasingly clear that the Administration is not interested in negotiating our differences. Rather, they are interested in delaying consideration of this important relief interminably—"running out the legislative clock" at the expense of the thousands of small businesses who are finding it more and more difficult to keep their doors open without the relief they so desperately need in these difficult economic times.

For this reason, and regretfully, I have come to the conclusion that, having tried to negotiate in good faith, my only remaining option is to demonstrate, conclusively, that under no circumstances will we back away from our commitment to small businesses. To bring Senate colleagues and the Administration back to the negotiating table in earnest, I would like to place a hold on all non-judicial executive nominations that may come before the Senate. It is my hope that this hold will be short-lived, as it will lead to more serious negotiations and ultimately Senate consideration of S. 1499. However, I am prepared to keep this hold in place until the Senate considers our bill. A simple yes or no vote on this important relief for small businesses is not too much to ask, especially when our Republican colleagues in the Senate will at long last allow us the opportunity to make good on our promise to help struggling businesses nationwide.

Thank you for your prompt attention to this matter.

Sincerely,

JOHN F. KERRY.

THE USA PATRIOT ACT OF 2001

Mr. BENNETT, Madam President, I rise to offer some guidance to the Secretary of the Treasury on the regulatory authority assigned to him by the Congress with the recent enactment of H.R. 3162, "The Patriot Act of 2001."

As a member of the Senate Banking Committee, I authored an amendment to that legislation's anti-money laundering title, title III, the "International Money Laundering Abatement and Financial Anti-Terrorism Act of 2001," which was included in the final legislation as signed by the President at Sec. 311. My amendment directs the Secretary of the Treasury to promulgate regulations defining "beneficial ownership of an account" for purposes of Section 5318A and subsections (i) and (j) of Section 5318 of the Bank Secrecy Act. I would like to offer some guidance to the Secretary of the Treasury concerning the Secretary's determination of "reasonable" and "practicable" steps for domestic financial institutions to ascertain the "beneficial ownership" of certain accounts as provided in Section 311.

Section 311 of this legislation authorizes the Secretary of the Treasury to require domestic financial institutions and agencies to take one or more of the special measures described in Section 311. The Secretary of the Treasury finds that reasonable grounds exist to conclude that a foreign jurisdiction, a financial institution operating outside the United States, a class of international transactions, and/or types of accounts is of "primary money laundering concern."

The second measure would require domestic financial institutions to take such steps as the Secretary determines to be "reasonable" and "practicable" to ascertain beneficial ownership of funds or accounts opened or maintained in the United States by a foreign person, excluding publicly traded foreign corporations, associated with what has been determined to be a primary money laundering concern. In both Section 5318A(b)(1)(B)(iii) and (b)(2), the Secretary is given the authority to require steps the Secretary determines to be "reasonable" and "practicable" to ascertain beneficial ownership of funds or accounts. Neither the phrase "beneficial ownership" nor the phrase "reasonable and practicable steps" is defined in the legislation, and there is no single accepted statutory or common-law meaning of either phrase that the legislation is required to incorporate.

During the 106th Congress, the issue was dealt with by the House Banking Committee, which favorably reported HR 10, which contained provisions nearly identical to those contained in Section 311 of H.R. 3162, but without the mandatory rulemaking requirement which my amendment added this year. Both in the 106th Congress and again this year, it has been expressed that this lack of statutory definition conceivably could result in a rule or order under either Section 5318A(b)(1)(B)(iii) or (b)(2) that requires financial institutions to identify all beneficial owners of funds or of an account, which in turn might result in some circumstances in clearly excessive and unjustifiable burdens. As the
author of the amendment requiring the Secretary to undertake rulemaking in this area, I am sensitive to this concern, and I would expect the Secretary to address it when implementing this act, including when making determinations under the following provisions: (1) Section 5318A(a)(3)(B)(ii), which requires the Secretary to consider, in selecting which special measure to take, "whether the imposition of any particular special measure would create a significant competitive disadvantage, including any undue cost or burden associated with compliance, for financial institutions organized or licensed in the United States;" and (2) those above-referenced provisions that permit only those steps that the Secretary determines to be "reasonable and practicable" to identify the beneficial ownership of accounts or funds, which provisions impose an enforceable constraint on the substance of any rule or order under either Section 5318A(b)(1)(B)(iii) or (b)(2).

In addition, Section 5318A(e)(3) requires the Secretary to promulgate regulations defining "beneficial ownership of an account" for purposes of Section 5318A and subsections (i) and (j) of Section 5318. This is the Bennett amendment. Section 5318A(e)(4) gives the Secretary the authority, inter alia, to "define for the purposes of" Section 5318A "by regulation." I would strongly encourage the Secretary to define the meaning of the phrases "beneficial ownership" as well as "reasonable and practicable steps" for purposes of Sections 5318A(b)(1)(B)(iii) and (b)(2), through formal rulemaking subject to notice and comment, taking due consideration of the potential impact of such regulations on smaller institutions, and on all institutions, with an eye toward balancing regulatory burden, legitimate privacy interests, and the ability of United States financial institutions to compete globally. To the extent the Secretary opts for informal guidance on "reasonable and practicable steps," I would urge informal consultation with interested parties.

Specifically, I would note that several agencies have issued regulations or supervisory guidance defining the term "beneficial owner" or outlining what constitutes reasonable steps to obtain beneficial ownership information, in each instance for the issuing agency's own purposes. See, e.g., 17 C.F.R. § 229.80.26 26 C.F.R. §1.1441 1(c)(6); 28 C.F.R. §9.2(e); Letter re: Public Securities Association (Sept. 29, 1995) (SEC staff "no action" letter addressing 17 C.F.R. §240.10b 10); Guidance on Sound Risk Management Practices Governing Private Equity Activities, issued by the Federal Reserve Bank of New York (July 1997); and Office of the Comptroller of the Currency Bank Secrecy Act Handbook (September 1996). These sources may be instructive for the Secretary in providing definitions of the phrases "beneficial ownership" and "reasonable and practicable steps.

IN MEMORY OF STANLEY FOSTER

Mr. BOXER. Mr. President, I would like to take this moment to reflect on the life of my friend and well-known philanthropist, Stanley Foster.

Stan died of cancer on November 14, 2001 in San Diego, CA, at the age of 74. His death represents a great loss for the people of San Diego, the State of California, and the Nation. He was benefitted immensely from his extraordinary dedication and commitment to his community. His strong passion to make a difference, particularly reflected in his work to prevent gun violence, has made a lasting impact on all our lives.

Stan Foster was the son of a scrap-dealer from Ukraine. After graduating from the University of Washington, he owned a retail furniture store in Portland before settling in San Diego in 1957.

A man from humble beginnings, Stan gradually rose to become a successful businessman as the owner of the popular Hang Ten sportswear label. Throughout his career, he took great pride in re-investing in his community. He was actively involved in organizations including the Chamber of Commerce, the United Way, the Jewish Federation and the Combined Arts Council. He also played a significant role in the political sphere, earning respect and admiration from legislators on both sides of the aisle. But he is most well known for his unwavering commitment to the fight against gun violence.

In the 1980s, Stan sold the Hang Ten company and shifted his priorities towards his civic work. Affected by an incident that occurred in his teenage life, Stan dedicated much of his time to help combat gun violence. In pursuit of this goal, he founded San Diegans Against Handgun Violence in 1988 and also became national vice chairmen of Handgun Control, Inc. As a leader of San Diegans Against Handgun Violence, he fought for gun safety and tougher gun laws. He was a true national leader in this fight.

I will miss Stan Foster. He enriched many lives in California and throughout our Nation. Although we mourn the loss of a great leader, we will always remember his powerful voice for justice. His generosity and compassion will remain in our hearts, inspiring us to follow his unforgettable legacy.

COMCAST CARES DAY AT ANACOSTIA SENIOR HIGH SCHOOL

Mr. BIDEN. Mr. President, on October 13, 2001, as part of Comcast's nationwide Day of Service, and in conjunction with Greater DC Cares, several hundred Comcast employees from the Washington, DC area volunteered to clean, landscape, and paint Anacostia Senior High School. In the wake of the tragedy of September 11, the Comcast Foundation has contributed $100 million to disaster relief efforts in New York City and at the Pentagon for every employee and family member who participated in the clean-up. Comcast and every participating employee should be commended for their outstanding dedication and commitment to improving their community.

Nationwide, more than five thousand Comcast employees from twenty-six States volunteered their time on Comcast Cares Day. Though it may have been the work of only one corporation and one group of employees, Comcast's community service and the volunteer spirit of its employees represents the best of America.

The best of America can also be seen in other places around our country. Since September 11, Americans have risen to the occasion to aid their fellow citizen. In every city and town across America, individuals have taken the lead in community efforts like the one at Anacostia Senior High School. In my home State of Delaware, corporations such as Daimler-Chrysler, MBNA Bank and the DuPont Corporation have lent a helping hand to assist those in need. Furthermore, fire companies, schools, and children from all walks of life have come together providing assistance and comfort to the victims of the horrible September 11 attack.

Not to overstate the case, but there seems to be a renewed spirit of community in America where, not long ago, we seemed more divided by differences than united by common concerns and shared values. Corporations like Comcast and their employees have heard the call. They have pulled together and responded where there is a need and, in the District of Columbia, Anacostia Senior High School was the place. It was not the work that was done there on October 13, or the time invested by all those who volunteered, that should inspire us the most, but the overriding sense that all of us working together can make a difference in our communities.

After the tragedy of September 11, Americans responded when we saw the courage and dedication of New York police, firemen, and emergency workers. From their example have come story after story of corporations like Comcast reaching out, taking a lead in their communities, and making a difference. Comcast, The Comcast Foundation, and the dedicated employees who participated in making a difference at Anacostia Senior High School should be commended by all of us in the United States Senate who know how much we can accomplish when we work together.

Yet, this sense of corporate responsibility is not new for the Comcast Corporation. Comcast always has been an active participant in the communities it serves. Whether it is their support of the Boys and Girls Clubs of America, the Red Cross, or the Easter Seals, Comcast has insisted on excellence not
December 12, 2001

TRIBUTE TO JAMES V. PARILLO

Mr. CORZINE. Madam President, I would like to bring to the attention of my colleagues a great man from the State of New Jersey, Mr. James V. Parillo. A 66 year old native of Newark, Mr. Parillo is a man of integrity who has devoted his time and talents to making his city a thriving urban center.

A graduate of East Side High School, Mr. Parillo currently serves as a community relations specialist at the Newark Housing Authority. In this capacity he is responsible for coordinating special events, including an annual parade and senior citizen fashion show.

A grassroots coalition-builder and youth advocate, Mr. Parillo is also involved in strengthening the community and promoting the development of children. For the past fifteen years he has sponsored a little league baseball team in Newark’s Ironbound section, providing a much needed recreational outlet for the city’s young people. Most recently, he was elected to serve as a member of the Newark Board of Education and is chairman of its Community Development Committee.

In 1981, Jimmy, as he is affectionately known, established the Jimmy Parillo Civic Association, an organization comprised of representatives from the business, educational, and political communities. Each year the association recognizes the achievements of individuals who have contributed to promoting stable communities in the city of Newark.

I want you to know that James V. Parillo is a true American and believes that all people should have access to America’s Promise. An unselﬁsh man, he has the gift of bringing people together to work for a common cause.

Jimmy believes that he can make a difference. The city of Newark is a better city today because of his dedication and leadership.

Lastly, I am proud to call Jimmy a friend and it is an honor for me to bring him to your attention.

TRIBUTE TO VERNON ALLEY

Mrs. BOXER. Mr. President, earlier this year our country was treated to "Jazz," the latest documentary by Ken Burns. The ambitious, multi-part series traced the personalities, culture and, of course, music of jazz from its origins in turn of the century New Orleans until the present day. Like his critically acclaimed documentaries on the Civil War and baseball, Mr. Burns' production was as much a meditation on America and the nature of our democracy as it was an overview of jazz itself. For those who have not yet had a chance to see this wonderful exploration, I highly recommend it.

Jazz is an American art form, born of many different influences and nurtured in a wide variety of contexts and communities. Although often overshadowed by cities such as New Orleans, New York and Kansas City, San Francisco, the alleged underdog, remains one such community. Over the years, it has been home and played host to many of jazz's greatest talents.

Perhaps no musician better personiﬁes San Francisco's connection and contributions to jazz than bassist Vernon Alley. Vernon Alley is a long-time San Franciscan. He grew up in the City and has maintained a band here off and on since the mid-forties. As jazz vocalist Jon Hendricks once remarked, "[Vernon is] the dean of San Francisco jazz."

Mr. Alley began his lifelong association with San Francisco and jazz when he accompanied his parents to see a performance by the incomparable Jelly Roll Morton at Maple Hall. Thus inspired, Vernon dedicated his life to music. Arriving in New York as a young man at the high point of the swing era, he played with some of the biggest names in the business, including both the Lionel Hampton and Count Basie Orchestras. Always a sought after accompanist, in later years he would play with such other legends as Duke Ellington, Ella Fitzgerald, Dizzy Gillespie, Erroll Garner and more.

Although he may have been able to gain wider exposure or acclaim if he remained in New York, Vernon returned to San Francisco after World War II. Here he is beloved, not only for the power, warmth and lyrical quality of his music, but also for his great personal charm. I have had the pleasure of meeting Vernon Alley and seeing him perform. He is a gifted and gracious man and certainly a Bay Area treasure.

Vernon was honored this year at the prestigious San Francisco Jazz Festival with the SFJAZZ Beacon Award for his achievements in music and as a stalwart in the community. Mayor Willie Brown declared October 30, 2001 "Vernon Alley Day." That evening Vernon joined 15 friends on the stage for a three and a half hour tribute concert. By all accounts it was night filled with joy and an appreciation of how the gifts of one man can be gifts to us all.

I am greatly encouraged by what I see as a renewed sense of love for America and respect for its traditions and achievements. In Jazz, we see a reﬂection of ourselves at our finest. And in Vernon Alley we see the embodiment of jazz at its finest. For keeping this art form alive, we owe him our deepest thanks.

MESSAGES FROM THE HOUSE

At 12:28 p.m., a message from the House of Representatives, delivered by Ms. Niland, one of its reading clerks, announced that pursuant to section 3(b) of the Public Safety Officer Medal of Valor Act of 2001 (Public Law 107–12), the Majority Leader appoints the following individuals to the Medal of Valor Review Board: Mr. Oliver; Mr. Green; Ms. Hillsboro, Missouri; and Mr. Richard "Smokey" Dyer of Kansas City, Missouri.

The message also announced that the House has agreed to the amendments of the Senate to the bill (H.R. 10) to provide for pension reform, and for other purposes.

The message further announced that the House has agreed to the amendments of the Senate to the bill (H.R. 2540) to amend title 38, United States Code, to make various improvement to veterans benefits programs under laws administered by the Secretary of Veterans Affairs, and for other purposes.

The message also announced that the House has agreed to the amendment of the Senate to the bill (H.R. 2716) to amend title 38, United States Code, to revise, improve, and consolidate provisions of law providing benefits and services for homeless veterans.

The message further announced that the House has agreed to the amendment of the Senate to the bill (H.R. 1196) to amend the Small Business Investment Act of 1958, and for other purposes.

The message also announced that the House has agreed to the amendments of the Senate to the bill (H.R. 1291) to amend title 38, United States Code, to increase the amount of educational benefits for veterans under the Montgomery GI bill, with an amendment; in which it requests the concurrence of the Senate.

The message further announced that the House has passed the following joint resolution, without amendment:

S.J. Res. 26. A joint resolution providing for the appointment of Patricia Q. Storey as a citizen regent of the Board of Regents of the Smithsonian Institution.

The message also announced that the House has agreed to the following concurrent resolution, without amendment:
The message further announced that the House has agreed to the following concurrent resolutions, in which it requests the concurrence of the Senate:

H. Con. Res. 259. Concurrent resolution expressing the sense of Congress regarding the relief efforts undertaken by charitable organizations and the people of the United States in the aftermath of the terrorist attacks against the United States that occurred on September 11, 2001. H. Con. Res. 281. Concurrent resolution honoring the ultimate sacrifice made by Johnny Michael Spann, the first American killed in combat during the war against terrorism in Afghanistan, and pledging continued support for members of the Armed Forces.

The message also announced that the House has passed the following bills, in which it requests the concurrence of the Senate:

H.R. 38. An act to provide for additional lands to be included within the boundaries of the Homestead National Monument of America in the State of Nebraska, and for other purposes.

H.R. 1576. An act to designate the James Peak Wilderness and Protection Area in the Arapaho and Roosevelt National Forests in the State of Colorado, and for other purposes.

H.R. 1989. An act to reauthorize various fishery conservation management programs, and for other purposes.

H.R. 2069. An act to amend the Foreign Assistance Act of 1961 to expand democracy, good governance, and anti-corruption programs in the Russian Federation in order to promote and strengthen democratic government and civil society in that country and to support independent media.

H.R. 2440. An act to rename Wolf Trap Farm Park as “Wolf Trap National Park for the Performing Arts,” and for other purposes.

H.R. 2595. An act to direct the Secretary of the Army to convey a parcel of land to Chatham County, North Carolina.

H.R. 2732. An act to authorize the construction of a Native American Cultural Center and Museum in Oklahoma City, Oklahoma.

H.R. 3009. An act to extend the basic pilot program for employment eligibility verification, and for other purposes.

H.R. 3362. An act to amend the Richard B. Russell National School Lunch Act to exclude certain basic allowances for housing of an individual who is a member of the uniformed services from the determination of eligibility for free and reduced price meals of a child of the individual.

H.R. 3282. An act to designate the Federal building and United States courthouse located at 400 North Main Street in Butte, Montana, as the “Mike Mansfield Federal Building and United States Courthouse.”

H.R. 3770. An act to amend the Coast Guard Authorization Act of 1996 to modify the reversionary interest of the United States in a parcel of property conveyed to the Traverse City Area School District in Traverse City, Michigan.

H.R. 3441. An act to amend title 49, United States Code, with respect to the policy of the Department of Transportation, and for other purposes.


H.R. 3447. An act to amend title 38, United States Code, to enhance the authority of the Secretary of Veterans Affairs to recruit and retain qualified nurses for the Veterans Health Administration to provide an additional basis for establishing the inability of veterans to defray expenses of necessary medical care, to enhance certain health care programs of the Department of Veterans Affairs, and for other purposes.

At 2:37 p.m., a message from the House of Representatives, delivered by one of its reading clerks, announced that the House has agreed to the report of the committee of conference on the disagreeing votes of the two houses on the amendment of the Senate to the bill (H.R. 2883) to authorize appropriations for fiscal year 2002 for intelligence and intelligence-related activities of the United States Government, the Community Management Account, and the Central Intelligence Agency Retirement and Disability System, and for other purposes.

ENROLLED BILLS SIGNED

The message further announced that the Speaker has signed the following enrolled bills:

H.R. 1230. An act to provide for the establishment of the Detroit River International Wildlife Refuge in the State of Michigan, and for other purposes.

H.R. 1761. An act to designate the facility of the United States Postal service located at 8588 Richmond Highway in Alexandria, Virginia, as the “Herb E. Harris Post Office Building.”

H.R. 2861. An act to amend the charter of Southeastern University of the District of Columbia.


The enrolled bills were signed subsequently by the President pro tempore (Mr. Byrd).

At 5:09 p.m., a message from the House of Representatives, delivered by Ms. Niland, one of its reading clerks, announced that the House has passed the following bills, in which it requests the concurrence of the Senate:

H.R. 1022. An act to amend title 4, United States Code, to make sure the rules of etiquette for flying the flag of the United States do not preclude the flying of flags at half mast when ordered by city and local officials.

H.R. 3209. An act to amend title 18, United States Code, with respect to false communications about certain criminal violations, and for other purposes.

H.R. 3265. An act to establish a program to provide funds to States to replace punch card voting systems, to establish the Election Assistance Commission to assist in the administration of Federal elections and, otherwise provide assistance with the administration of certain Federal election laws and programs, to establish minimum election administration standards for States and units of local government with responsibility for the administration of Federal elections, and for other purposes.

H.R. 3338. An act making appropriations for the Department of Defense for the fiscal year ending September 30, 2002, and for other purposes, and agrees to the conference asked by the Senate on the disagreeing votes of the two Houses thereon; and appoints the following members as the managers of the conference on the part of the House:

At 6:38 p.m., a message from the House of Representatives, delivered by Ms. Niland, one of its reading clerks, announced that the House has disagreed to the amendment of the Senate to the bill (H.R. 3338) making appropriations for the Department of Defense for the fiscal year ending September 30, 2002, and for other purposes, and for other purposes, and agrees to the conference asked by the Senate on the disagreeing votes of the two Houses thereon; and appoints the following members as the managers of the conference on the part of the House:

For consideration of all other matters of the House bill and all other matters of the Senate amendment, and modifications committed to conference: Mr. Lewis of California, Mr. Young of Florida, Mr. Skelton, Mr. Coburn, Mr. Bonilla, Mr. Nethercutt, Mr. Cunningham, Mr. Dreith, Mr. Mica, Mr. Dicks, Mr. Sabo, Mr. Visclosky, Mr. Moran of Virginia, and Mr. Obey.

ENROLLED BILLS SIGNED

The message further announced that the Speaker has signed the following enrolled bills:

H.R. 2883. An act to authorize appropriations for the Department of Defense for the fiscal year ending September 30, 2002, and for other purposes.

H.R. 3441. An act to amend title 38, United States Code, to provide a cost-of-living adjustment in the rates of disability compensation for veterans with service-connected disabilities and the rate of dependency and indemnity compensation for survivors of such veterans.

H.R. 3716. An act to amend title 38, United States Code, to revise, improve, and consol- 

MEASURES REFERRED

The following bills were read the first and the second times by unanimous consent, and referred as indicated:

H. Con. Res. 282. Concurrent resolution expressing the sense of Congress that the Social Security program should be kept.

H.R. 1022. An act to amend title 4, United States Code, to make sure the rules of etiquette for flying the flag of the United States do not preclude the flying of flags at half mast when ordered by city and local officials; to the Committee on the Judiciary.

H.R. 3282. An act to designate the James Peak Wilderness and Protection Area in the Arapaho and Roosevelt National Forests in the State of Colorado, and for other purposes.
the State of Colorado, and for other purposes; to the Committee on Energy and Natural Resources.

H.R. 2898. An act to reauthorize various fisheries management programs, to amend the tunas and swordfish management programs, and for other purposes; to the Committee on Commerce, Science, and Transportation.

H.R. 2940. An act to amend the Federal Financial Assistance Act of 1969 to improve the management of the Department of Housing and Urban Development programs and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

H.R. 2953. An act to direct the Secretary of the Treasury to exempt certain costs associated with the terrorist attacks on the World Trade Center and the Pentagon, and for other purposes; to the Committee on Transportation and Infrastructure.

H.R. 2954. A communication from the Attorney-Advisor of the National Highway Traffic Safety Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled “Advance Air Bags; Final Rule” (RIN 21217-AH11) received on December 10, 2001; to the Committee on Commerce, Science, and Transportation.

H.R. 2955. An act to amend the Federal Financial Assistance Act of 1969 to expand democracy, good governance, and anti-corruption assistance in the Saharan Republic in order to promote and strengthen democratic government and civil society in that country and to support independent media; to the Committee on Foreign Relations.

H.R. 2940. An act to rename Wolf Trap Farm Park as “Wolf Trap National Park for the Performing Arts”, and for other purposes; to the Committee on Energy and Natural Resources.

H.R. 2955. An act to direct the Secretary of the Department of Labor to conduct a study on the impact of employment regulations on the construction industry, and for other purposes; to the Committee on Education, Labor, and Pensions.

H.R. 2956. An act to provide funds to States to replace punch card voting systems, to establish the Election Assistance Commission to assist in the administration of Federal elections and to otherwise provide assistance with the administration of certain Federal election laws and programs, to establish minimum election administration standards for States and units of local government with responsibility for the administration of Federal elections, and for other purposes; to the Committee on Rules and Administration.

H.R. 3144. An act to provide financial assistance to persons affected by the terrorist attacks of September 11, 2001, to the Committee on the Judiciary.

H.R. 3299. An act to amend title 18, United States Code, with respect to false communications about certain criminal violations and for other purposes; to the Committee on the Judiciary.

H.R. 3323. An act to amend the Richard B. Russell National School Lunch Act to exclude certain basic allowances for housing of an individual who is a member of the uniformed service in the determination of eligibility for free and reduced price meals of a child of the individual; to the Committee on Agriculture, Nutrition, and Forestry.

H.R. 3326. An act to establish a program to provide funds to States to replace punch card voting systems, to establish the Election Assistance Commission to assist in the administration of Federal elections and to otherwise provide assistance with the administration of certain Federal election laws and programs, to establish minimum election administration standards for States and units of local government with responsibility for the administration of Federal elections, and for other purposes; to the Committee on Rules and Administration.

H.R. 3370. An act to amend the Coast Guard Authorization Act of 1996 to modify the reversionary interest of the United States in a parcel of property conveyed to the Traverse City Area School District in Traverse City, Michigan; to the Committee on Commerce, Science, and Transportation.

The following concurrent resolutions were read, and referred as indicated.

H. Con. Res. 259. Concurrent resolution expressing the sense of Congress regarding the relief efforts undertaken by charitable organizations and the people of the United States in the aftermath of the terrorist attacks against the United States that occurred on September 11, 2001; to the Committee on Health, Education, Labor, and Pensions.

H. Con. Res. 261. Concurrent resolution honoring the ultimate sacrifice made by Johnny Michael Spann, the first American killed in combat during the war against terrorism in Afghanistan, and pledging continued support of the Armed Forces; to the Committee on Armed Services.

H. Con. Res. 262. Concurrent resolution expressing the sense of Congress that the Social Security promise should be kept; to the Committee on Finance.
REPORTS OF COMMITTEES

The following reports of committees were entitled:
By Mr. BIDEN, from the Committee on Foreign Relations, without amendment:
H.R. 3167: A bill to endorse the vision of further enlargement of the NATO Alliance articles by the President. Signed by V. F. Wharton, on June 15, 2001, and by former President Bill Clinton on October 22, 1996, and for other purposes.
By Mr. KENNEDY, from the Committee on Health, Education, Labor, and Pensions, without amendment:
S. 1762: A bill to extend current law with respect to special allocation Act of 1965 to establish fixed interest rates for student and parent borrowers, to extend current law with respect to special allowances for lenders, and for other purposes.
S. 1783: A bill to provide the Secretary of Education with specific waiver authority to respond to conditions in the national emergency declared by the President on September 14, 2001.

By Mr. BIDEN, from the Committee on Foreign Relations, without amendment and with a preamble:
S. Res. 90: A concurrent resolution expressing the sense of Congress that women from all ethnic groups in Afghanistan should participate in the economic and political re-construction of Afghanistan.
S. Con. Res. 86: A concurrent resolution expressing the sense of the Congress regarding construction of Afghanistan.

By Mr. BIDAM for the Committee on Foreign Relations, without amendment and with a preamble:
By Mr. BIDEN, from the Committee on Foreign Relations, without amendment and with a preamble:
S. Con. Res. 86: A concurrent resolution expressing the sense of the Congress regarding construction of Afghanistan.

The following reports of committees were submitted:

COMMITTEES

EXECUTIVE REPORTS OF COMMITTEES

The following executive reports of committees were submitted:
By Mr. BINGAMAN for the Committee on Energy and Natural Resources:

*James David McGee, of Florida, to be Assistant Secretary for Fish and Wildlife.
*Jeffrey D. Jarrett, of Pennsylvania, to be Director of the Office of Surface Mining Reclamation and Enforcement.
*Michael Smith, of Oklahoma, to be an Assistant Secretary of Energy (Fossil Energy).
*Kathleen Burton Clarke, of Utah, to be Director of the Office of Civilian Radioactive Waste Management, Department of Energy.
*Rebecca W. Watson, of Montana, to be an Assistant Secretary of the Interior.
*Margaret S.Y. Chu, of New Mexico, to be Assistant Secretary of Energy (Environment, Safety and Health).
*By Mr. BIDEN for the Committee on Foreign Relations:

*James David McGee, of Florida, a Career Member of the Senior Foreign Service, Class of Minister-Counselor, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Bolivarian Republic of Venezuela.
*Gaddi H. Vasquez, of California, to be Director of the Peace Corps.
*Charles S. Shapiro, of Georgia, a Career Member of the Senior Foreign Service, Class of Minister-Counselor, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Bolivarian Republic of Venezuela.

The following is a list of all members of my immediate family and their spouses. I have asked each of these persons to inform me of the pertinent contributions made by them. To the best of my knowledge, the information contained in this report is complete and accurate.

Nominee: John Price.

Contributions, Amount, Date, and Donee:
1. Self, $500, 5-7-97, New Mexico for Redmond;
2. Self, 5-28-97, Bennet 98 Committee;
3. Self, 3-26-98, Merrill Cook for Congress;
4. Self, 2-26-99, Merrill Cook for Congress;
5. Self, 7-21-98, Ron Schmid for Senate; $25,000, 5-7-98, Utah Republican Party; $1,000, 5-14-98, Jim Hansen Committee; $1,000, 6-26-98; $1,000, 6-26-98, Merrill Cook 98; $1,000, 7-21-98, Ron Schmid for Senate; $25,000, 7-21-98, House Senate Dinner Trust; $15,000, 9-25-98, National Republican Senatorial Committee; $1,000, 3-5-99, George Bush Presidential Committee; $100,000, 4-23-99, Republican National Committee; $1,000, 5-27-99, Chris Cannon for Congress; $1,000, 5-30-99, William Bennett 99 Committee; $250, 7-28-99, Western States Republican Leadership Conference; $1,000, 8-19-99, Elizabeth Dollar Exploratory Committee; $2,200, 10-1-99, Western States Republican Leadership Committee; $1,000, 4-15-99, Bush for President Committee; $2,000, 3-31-00, Ashcroft 2000 Committee; $25,000, 4-14-00, Republican National Committee; $2,000, 4-14-00, Jim Hansen Committee; $500, 4-14-00, Jim Hansen Committee; $161,500, 6-1-00, Republican National State Elections Committee; $18,500, 6-01-00, Republican National Committee; $50,000, 6-28-00, RNSIC; $5,000, 7-13-00, Victory 2000 Program; $1,000, 7-17-00, Republican Party Arkansas; $5,000, 7-26-00, Mark Shurtleff; $5,000, 8-18-00, Republican National Committee; $20,000, 10-13-00, Victory 2000; $14,842, 1-24-01, Republican National Committee.
2. Spouse: Margarita Price, $80,000, 10-31-00, RNC Republican National State Elections; $20,000, 6-27-00, Republican National Committee; $1,000, 3-24-99, Bush for President.
3. Children and spouses: John Steven Price, Dru Price, Jennifer Price Wallin, Anthony Wallin, $1,000, 3/24/99, Bush for President; $1,000, 3/24/99, Bush for President; $1,000, 3/24/99, Bush for President; Deirdra Price, none; Farhad Kamani, none.
4. Parents: Simon Price (deceased) and Margaret Price Kail (deceased).
5. Grandparents.
7. Sisters and spouses: NA.
8. William R. Brownfield, of Texas, a Career Member of the Senior Foreign Service, Class of Minister-Counselor, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Republic of Chile.

(The following is a list of all members of my immediate family and their spouses. I have asked each of these persons to inform me of the pertinent contributions made by them. To the best of my knowledge, the information contained in this report is complete and accurate.)


Contributions, Amount, Date, and Donee:
1. Self, none.
3. Children and spouses: N/A.
5. Grandparents: All deceased for more than 10 years.
7. Sisters and spouses: Barbara B. and Francis W. Rushing, none; Anne Elizabeth and Christopher W. Fay, none.

*James David McGee, of Florida, a Career Member of the Senior Foreign Service, Class of Minister-Counselor, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Kingdom of Swaziland.

(The following is a list of all members of my immediate family and their spouses. I have asked each of these persons to inform me of the pertinent contributions made by them. To the best of my knowledge, the information contained in this report is complete and accurate.)

Nominee: James David McGee.

Contributions, Amount, Date, and Donee:
1. Self, none.
3. Children and spouses: N/A.
5. Grandparents: Jacob and Harriet M. Schneider (deceased) and Paul and Bertha Schneider, (deceased).
7. Sisters and spouses: J. James and Christine Thompson,none.

*Earl Norfleet Phillips, Jr., of North Carolina, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to Barbados, and to serve concurrently and without additional compensation as Ambassador Extraordinary and Plenipotentiary of the United States of America to St. Kitts and Nevis, Saint Lucia, Antigua and Barbuda, the Commonwealth of Dominica, Grenada, and Saint Vincent and the Grenadines.

(The following is a list of all members of my immediate family and their spouses. I
have asked each of these persons to inform me of the pertinent contributions made by them. To the best of my knowledge, the information contained in this report is complete and accurate.

Nominees: Career Minster Kenneth P. Moorefield.
Post: Gabon, Sao Tome and Principe.
Contributions, Amount, Date, and Donee:

5. Grandparents: Louis R. and Helen M. Sommer (deceased); William James and Francis Jane Moorefield (deceased).
7. Sisters and spouses: Helen J. Moorefield, none.

—

John D. Ong, of Ohio, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to Norway.

The following is a list of all members of my immediate family and their spouses. I have asked each of these persons to inform me of the pertinent contributions made by them. To the best of my knowledge, the information contained in this report is complete and accurate.

Nominee: John D. Ong.
Contributions, Amount, Date, and Donee:

1. Nominee: Self, $1,000, 6/12/97, DeWine for U.S. Senate; $1,000, 3/13/97, Voinovich for Senate; $500, 9/4/97, Republican Eagles; $100, 7/9/97, Senatorial Trust; $1,000, 7/9/97, Friends for Houghton (Amo); $200, 11/21/97, Tom Sawyer Committee; $1,000, 12/5/97, Voinovich for Senate; $5,000, 12/18/97, Ohio Republican Party—Federal Account; $500, 3/4/98, Friends for Houghton (Amo); $1,000, 6/12/98, Tom Sawyer Committee; $250, 8/31/98,Republican Congressional Campaign Committee; $10,000, 9/22/98, Senatorial Trust; $1,000, 10/30/98, Slovenia for Congress; $1,000, 2/22/99, Santorum $2,000, $1,500, 2/23/99, Ohio Republican Party—1999 Early Bird; $395,25, 9/28/99, Republican Congressional Campaign Committee; $500, 6/15/99, The Ohio Republican Senator Campaign Committee; $10,000, 6/16/99, Senatorial Trust; $500, Friends for Houghton; $5,000, 7/28/99, Republican Eagles; $150, 9/9/99, The Tom Sawyer Committee; $1,000, 10/11/99, Bill Bradley for President, Inc.; $500, 12/12/99, W. Bush for President Committee (Sen. Melissa Hart); $5,000, 11/17/00, Bush-Cheney Recount Fund; $5,000, 12/5/00, The Tom Sawyer Committee; $1,000, 6/8/00, Voinovich for Senate; $10,000, 6/14/00, Republican National Congressional Campaign Committee; $25,000, 6/14/00, Elections Committee; $65,000, 6/14/00, Republican National State Elections Committee; $300, 7/17/00, People with Hart Committee.
5. Grandparents: Mrs. Mary C. Hanford (grandmother), $100, 8/12/2001, Republican National Committee; $1,000, 12/28/2000, Bush for President Inc.; $270, 3/12/00, Republican National Committee, Helen Ong, None.
7. Sisters and spouses: Helen J. Moorefield, none.

—

John V. Hanford III, of Virginia, to be Ambassador at Large for International Religious Freedom.

The following is a list of all members of my immediate family and their spouses. I have asked each of these persons to inform me of the pertinent contributions made by them. To the best of my knowledge, the information contained in this report is complete and accurate.

Nominee: John V. Hanford III.
Post: Ambassador at Large for International Religious Freedom.
Contributions, Amount, Date, and Donee:

1. Self, $1,000, 01/24/2000, Bush for President; $1,000, 03/31/1999, Elizabeth Dole for President, Exploratory Committee.
2. Spouse: Laura Bryant Hanford, none.
3. Children and spouses: N.A.

—

John V. Hanford Jr. (stepmother), Elizabeth Dole for President, Exploratory Committee; $500, 9/22/1998, Faircloth for Senate Committee; $500, 5/30/1997, Faircloth for Senate Committee.

—

L. Clair Nelson (stepfather), deceased.

Ricciardone, none.

beth Ricciardone, none; James and Lisa
mother deceased.

my immediate family and their spouses. I
America to the Republic of Palau.
compensation as Ambassador Extraordinary
potentiary of the United States of America

ceased).

(deceased); Joseph and Julia Pukach (de-

complete and accurate.)

formation contained in this report is com-

To the best of my knowledge, the in-

Republican National Committee.

$200, 2/18/1997, Helms for Senate; $100,

his obstruction, it is so ordered.

G. Sanford, none.

. Brothers and spouses: Joseph G. Sanford,

. Sisters and spouses: NA.

Adolfo A. Franco, of Virginia, to be an As-
stant Administrator of the United States
Agency for International Development.

Arthur Dewey, of Maryland, to be an
Assistant Secretary of State (Population,
Refugee, and Migration).

*Donna Jean Hrinak, of Virginia, a Career
Member of the Senior Foreign Service, Class of
Career Minister, to be Ambassador Extra-
stationary Representative of the United States of America to the
Federative Republic of Brazil.

(The following is a list of all members of
my immediate family and their spouses. I
have asked each of these persons to inform
me of the pertinent contributions made by
them. To the best of my knowledge, the
information contained in this report is com-
plete and accurate.)

Nominee: Dona J. Hrinak.
Post Ambassador: Brasilia.
Contributions, Amount, Date, and Donee:
1. Self, none.
2. Spouse, none.
3. Children and spouses: Wyatt A. Flores,
none.
4. Parents: John Hrinak (deceased); Mary
Hrinak, none.
5. Grandparents: John and Anna Hrinak
(deceased); Joseph and Julia Pukach (de-
ceased).
6. Brothers and spouses: David J. Hrinak,
none.
7. Sisters and spouses: NA.

Francis Joseph Ricciardone, Jr., of New
Hampshire, Career Member of the Senior
Foreign Service, Class of Minister-Counselor,
to be Ambassador Extraordinary and Pleni-
potentiary of the United States of America to
the Republic of the Philippines and to
serve concurrently and without additional
compensation as Ambassador Extraordinary and
Pleni-potentiary of the United States of America
in the Head of State Mission to Palau.

Nominee: Francis Joseph Ricciardone, Jr.
Post: Manilla, The Philippines.
(The following is a list of all members of
my immediate family and their spouses. I
have asked each of these persons to inform
me of the pertinent contributions made by
them. To the best of my knowledge, the
information contained in this report is com-
plete and accurate.)
Contributions, Amount, Date, and Donee:
1. Self, none.
2. Spouse, none.
3. Children and spouses: Francesca Mara
and Chiara Teresa Ricciardone, none.
4. Parents: Francis J. Ricciardone, none;
mother deceased.
5. Grandparents: (deceased).
6. Brothers and spouses: Michael and Eliza-
abeth Ricciardone, none; James and Lisa
Ricciardone, none; David and Beverly
Ricciardone, none.
7. Sisters and spouses: Maruerite R. and
David Stone, none; Theresa R. and Peter
Thayer, none.

* Roger P. Winter, of Maryland, to be an
Assistant Administrator of the United States
Agency for International Develop-
ment.

* Frederick W. Schieck, of Virginia, to be
Deputy Administrator of the United States
Agency for International Development.

Mr. BIDEN. Mr. President, for the Com-
munity on Foreign Relations I report favor-
ably the following nomination lists which
were printed in the Record on the dates indi-
cated, and ask unanimous consent, to save
the accompanying printing on the Executive
Calendar that these nominations lie at the
Secretary's desk for the information of Sen-
ators.

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

Foreign Service nominations beginning
Shaun Edward Donnelly and ending Charles
R. Wills, which nominations were received
by the Senate and appeared in the Congress-

Foreign Service nominations beginning
Patrick C. Hughes and ending Mason Yu,
which nominations were received by the Sen-
ate and appeared in the CONGRESSIONAL
Record on November 27, 2001.

Foreign Service nominations beginning
Kathleen T. Albert FL and ending Sungwhan
YI, which nominations were received by the
Senate and appeared in the CONGRESSIONAL
Record on November 27, 2001.

Nomination was reported with rec-
ommendation that it be confirmed sub-
ject to the nominee’s commitment to
respond to requests to appear and tes-
tify before and duly constituted com-
mittee of the Senate.

(Nominations without an asterisk
were reported with the recommenda-
tion that they be confirmed.)

INTRODUCTION OF BILLS AND
JOINT RESOLUTIONS

The following bills and joint resolu-
tions were introduced, read the first
and second times by unanimous con-
tections were introduced, read the first
and second times by unanimous con-
tections were introduced, read the first
and second times by unanimous con-
tections were introduced, read the first
and second times by unanimous con-
tections were introduced, read the first
and second times by unanimous con-
tections were introduced, read the first
and second times by unanimous con-
S. J. RES. 13

At the request of Mr. WARNER, the name of the Senator from Vermont (Mr. LIEAHY) was added as a cosponsor of S. J. Res. 13, a joint resolution conferring honorary citizenship of the United States on Paul Virginieux Gilbert du Motier, also known as the Marquis de Lafayette.

S. CON. RES. 3

At the request of Mr. FEINGOLD, the name of the Senator from Oregon (Mr. WYDEN) was added as a cosponsor of S. Con. Res. 3, a concurrent resolution expressing the sense of Congress that a commemorative postage stamp should be issued in honor of the U.S.S. Wisconsin and all those who served aboard her.

S. CON. RES. 86

At the request of Mr. DODD, the name of the Senator from Wisconsin (Mr. FEINGOLD) was added as a cosponsor of S. Con. Res. 86, a concurrent resolution expressing the sense of Congress that women from Afghanistan in Afghanistan should participate in the economic and political reconstruction of Afghanistan.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. THOMAS (for himself and Ms. LANDRIEU):
S. 1808. A bill to amend the Mineral Leasing Act to encourage the development of natural gas and oil resources on Federal land; to the Committee on Energy and Natural Resources.

Mr. THOMAS. Madam President, I rise today to introduce the Federal Acreage Chargeability Act of 2001. The Mineral Leasing Act of 1920 restricts the interests a company can own in Federal oil and gas leases in any one State to 246,080 acres. This legislation alters the acreage cap for oil and gas leases on federal lands so that producing lease sales in the existing Statewide acreage limitation. This provides an incentive for producers to keep domestic acreage in production or to turn the leases over to another operator who will.

Historically, the acreage limitation in the Mineral Leasing Act responded to public concern over a few major integrated oil companies locking up potential supplies of crude oil from Federal lands in the West. As originally enacted, the Act forbade any person from owning more than three Federal oil and gas leases in any state and more than one lease in an oil and gas field. In 1926, the restriction was converted from leases into acres and the acreage limit was increased to 7,680 acres in any state. The Congress, on three other occasions, has further expanded the number of acres a lessee may hold to 15,360 acres in 1946, to 46,080 acres per state in 1954, and to its present 246,080 acres in 1960. Under present conditions increased acreage and more time are necessary to protect the huge investments now needed to maintain rates of discovery.

Today, companies are able to administratively exempt Federal acreage from the 246,080-acre limit per state either through unitization or by the creation of a development contract. At this time, the BLM only allows development contracts in areas where the acreage is considered wildcard. The BLM has been extremely cooperative in working with companies that find themselves bumping up against or exceeding the acreage cap. However, the time has come to pass legislation that will encourage the sizeable capital investment that will be needed to promote orderly and environmentally responsible exploration, development, and production of natural gas and oil from the public lands of the United States.

In our modern economy, the acreage limitations of the Mineral Leasing Act appear as historical relics, ill suited to their original task of promoting competition. The acreage limitations of the Act are once again inhibiting a company’s ability to assemble sufficient blocks of acreage to efficiently explore promising natural gas and oil prospects. Companies are unable to adequately finance the development of those prospects and related infrastructure such as pipelines. Exacerbating the acreage situation further, is the trend toward mergers and acquisitions taking place in the oil and gas industry.

The Federal Acreage Chargeability Act of 2001 amends the acreage limitation provisions of the Mineral Leasing Act of 1920 in such a manner that is truly reflective of today’s exploration and production techniques and economics. Given the uncertain natural gas and oil supply situation that this country faces, it is even more critical to reform the outdated existing Federal acreage limitation provisions. The Federal Acreage Chargeability Act of 2001 by exempting oil and natural gas producing acreage from being counted against the Federal acreage limitations for other federal minerals such as coal and trona have also been revised upward over the years. Last Congress, I authored legislation that passed and was signed into law that raised the acreage limits for both Federal coal and trona leases due to industry consolidation and international competition. The domestic natural gas and oil industry is certainly facing these same concerns.

In recognition of the economics and technological advances of exploring for and producing domestic natural gas and oil on our public lands, and the national goal of increasing both domestic production and environmental efficiency, companies are also working to pass legislation to make now the right time to enact the Federal Acreage Chargeability Act of 2001.

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:
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 “Mineral Leasing Act Revision of 2001”.

SEC. 2. DEVELOPMENT OF NATURAL GAS AND OIL RESOURCES.

(a) IN GENERAL.—Section 27(d) of the Mineral Leasing Act (30 U.S.C. 184(d)) is amended— 

(1) in the first sentence of paragraph (1), by inserting “producing acreage” and after “Provided, however, That”; and 

(2) by adding at the end the following: “(3) DEFINITION OF PRODUCING ACREAGE.—In this subsection, the term ‘producing acreage’ means any lease— “(A) for which minimum royalty, royalty, royalty in kind, or compensatory royalty has been paid during the calendar year; or “(B) which has been committed to a federal approved cooperative plan, unit plan, or communitization agreement.”

(b) APPLICATION.—

(1) in the first sentence of paragraph (1), by inserting “producing acreage” and after “Provided, however, That”; and 

(2) by adding at the end the following: “(B) that has been committed to a federally approved cooperative plan, unit plan, or communitization agreement.”

(c) APPLICATIONS.—

(1) in the last sentence of section 27 of the Mineral Leasing Act (30 U.S.C. 184) shall apply separately to lands leased under the Mineral Leasing Act for Acquired Lands (30 U.S.C. 351 et seq.).

By Mr. DURBIN:

S. 1810. A bill to amend the Internal Revenue Code of 1986 to provide credits for individuals and businesses for the installations of certain wind energy property; to the Committee on Finance.

Mr. DURBIN. Madam President, today I am pleased to introduce the Home and Farm Wind Energy Systems Act of 2001. At a time when the United States clearly needs to reduce its dependence on fossil fuels, and particularly on imported oil, I offer legislation to spur the production of electricity from a clean, free and literally limitless source, wind. My bill offers a tax credit to help defray the cost of installing a small wind energy system to generate electricity for individual homes, farms, and businesses. It is my hope that this credit will help make it economic for people to invest in small wind systems, thereby reducing pressures on the national power grid and increasing America’s independence one family or business at a time.

And I also believe that creating a national energy policy must include innovative proposals for exploring and developing the use of alternative and renewable energy sources. I look forward to debating a comprehensive energy policy for America in the next session of the 107th Congress, and I ask unanimous consent that a summary of the Home and Farm Wind Energy Systems Act of 2001 be printed in the Record.

There being no objection, the summary was ordered to be printed in the Record, as follows:

SUMMARY OF THE HOME AND FARM WIND ENERGY SYSTEMS ACT

The bill would provide a 30 percent federal investment tax credit for homeowners, farmers and businesses to install small wind energy systems with a capacity of up to 75 kilowatts (kW). The tax credit would be available for installation occurring over the next ten years.

Investments in renewable energy provide many benefits, including:

1. Enhancing energy security and independence of the United States; 
2. Increasing farmer and rancher income; 
3. Promoting rural economic development; 
4. Providing environmental and public health benefits such as cleaner air and water; 
5. Improving electric grid reliability, thereby reducing the likelihood of blackouts; 
6. Providing farm and residential customers with insulation from electricity price volatility resulting from electric deregulation.

Small wind systems are the most cost-competitive home sized renewable energy technologies; however, high up-front costs have been a barrier. Phil Funk, for instance, a farmer in Dallas County, IA, invested $20,000 in a 20kW wind turbine system that saves him $9000 dollars per year on his electricity bill. Funk made use of an existing tower on his property to reduce his total costs significantly. The simple return-on-investment period for wind turbines was still too long to interest many farmers. A 30 percent tax credit would be a powerful incentive in its own right. It would also bring down production costs through economies of scale by increasing sales and production volume.

A typical rural residential wind system uses a 60 foot tower and a 10 kW capacity and costs $30,000 to $35,000 to install. This could yield savings of $1000 or more per year in energy costs, depending on prevailing commercial rates. In addition, in most states, system owners whose homes are connected to the power grid can sell excess electricity back to the local power company, improving efficiency and further reducing demands on local power grids.

While a few states offer incentives, the Federal Government has not offered tax credits for small wind systems since 1985. A recent USA Today/CNN/Gallup poll showed that 91 percent of the public favors incentives for wind, solar, and fuel cells. But, while there are tax credits for very large commercial wind projects, there is no federal tax credit for small wind turbines. This would be a powerful incentive in its own right. It would also bring down production costs through economies of scale by increasing sales and production volume.

According to the American Wind Energy Association, only 16th in the contiguous states for wind energy potential. A new map produced by the National Renewable Energy Laboratory, NREL, for the U.S. Department of Energy indicates that over 2/3 of Illinois has a “class 3” or better wind resource, making rural areas and the higher elevations in those areas appropriate for small wind turbines.

Illinois has a strong wind energy heritage. Chicago and Batavia were the leading centers of wind energy manufacturing in the United States during the last century, producing wind mills and battery-charging wind turbines built in the area between 1870 and 1910. Batavia is still known as “The Windmill City.”

In 1999, the Danish large-wind-turbine manufacturer NEG Micon chose Champaign for the site of its first American assembly and servicing facility, continuing the wind energy tradition in Illinois.

Only a handful of States provide incentives for small wind systems. Illinois currently offers a buy-down or rebate on the purchase of wind energy systems of up to 50 percent or $2/watt. Eligible applicants include individual homeowners, private companies, public and private schools, colleges and universities, not-for-profit organizations and units of State and local government. Potential recipients must be located within the service area of an investor-owned or municipal gas or electric utility or any other cooperative that implements the Renewable Energy Resources and Coal Technology Development Assistance Charge. Grant payments under current operating procedures are, however taxable, which reduces their value significantly.

By Mr. THOMPSON (for himself, Mr. LIEBERMAN, Mr. VOINOVICH, Mr. LUGAR, Mr. DURBIN, and Mr. AKAKA):

S. 1811. A bill to amend the Ethics in Government Act of 1978 (5 U.S.C. App.) to streamline the financial disclosure process for executive branch employees; to the Committee on Governmental Affairs.

Mr. THOMPSON. Madam President, I am introducing today the Presidential Appointments Improvement Act of 2001 on behalf of myself and Senator LIEBERMAN, and Senators AKAKA, DURBIN, LUGAR, and VOINOVICH. This proposal reflects multiple recommendations made by the many commissions and organizations that have studied the Presidential appointments process.

The bill includes a national commissions, non-profit organizations like the Presidential Appointee Initiative and the Transition to Governing Project, and a 1993 study and recommendations by the American Bar Association.

Clearly, we have a problem. The Presidential appointments process is unnecessarily long, burdensome, and complex. And although President Bush has sent a notable number of nominees to Congress at this point in his first year, major gaps remain in critical positions throughout government. We are faced with responding to the events of September 11 with a 25-percent vacancy rate in positions considered important to Homeland Security.

The time it takes for a new President to put his team in place exacerbates the human capital problems that our government faces. There is a growing recognition that we need to manage our people better. But with the downsizing of the past decade and the impending wave of retirements, the time consuming nature of the appointments process will leave many federal departments and agencies hollow and headless.

While the appointments process is, collectively, a tangled mess, there is no question that it has parts that are important and should be preserved. Conflict of interest statutes are critical, because a fundamental principle of government is one should not have a direct financial interest in the decisions that one is making. Likewise, background investigations are critical to ensure that the Government’s highest officials can be trusted with national security information. And, of course, the Constitution, enshrined in the Constitution, to provide its advice and consent for the President’s nominees.
This committee first took action to improve the Presidential appointments process when we passed the Presidential Transition Act of 2000. In that legislation, we included a number of provisions to allow a new President to hit the ground running once he takes office. That bill also asked the Office of Government Ethics to report within six months on its recommendations to streamline the forms we require of Executive Branch nominees. The administration submitted those recommendations, and they are included in this legislation.

In addition to streamlining the financial disclosure form, our legislation directs the Executive Clerk of the White House to provide a list of appointed positions to each Presidential candidate, Republican and Democrat, after their respective nominating conventions. That way the President, whoever he or she may be, can have an early start at picking his most trusted advisors. We also asked the Office of Government Ethics to recommend an elimination of Senate-confirmed positions, which would greatly shorten the entire process.

As I've said, this legislation is not the only action we are taking to improve the Presidential appointments process. Senator Lieberman and I earlier asked Senate Committees to work to simplify the forms they require of nominees, we have simplified the Government Affairs Committee forms, and we even asked the Chief of Staff, Andrew Card, asking him to examine the need for all Presidential nominees to undergo a full-field FBI background investigation. Clearly, there are some positions in the Federal Government that do not require the same background investigations as, say, the Secretary of Defense.

We will continue to look for ways to improve this process. The legislation we are introducing today makes reasonable, but overdue changes, to the Presidential appointments process. Whether in a time of crisis or not, there is no question that the country benefits when the President's team, from either party, takes office as quickly as possible.

I ask unanimous consent that a section-by-section analysis of the bill be printed in the RECORD.

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

PRESIDENTIAL APPOINTMENTS IMPROVEMENT ACT OF 2001—SECTION-BY-SECTION ANALYSIS

Section 1 of the bill. Sets forth the short title of the bill.

Section 2 of the bill. Sets forth the purposes of the bill.

Sec. 3 of the bill. Sets forth the public financial disclosure requirements for judicial and legislative personnel by amending Title I of the Ethics in Government Act to exclude all current references in title which were necessary to apply the title to the officers and employees of the executive branch.

No changes were made in financial disclosure requirements for judicial and legislative personnel.

Sec. 4 of the bill. Sets forth the public financial disclosure requirements for executive branch personnel by enacting a new title II of the Ethics in Government Act. The references below are to the sections of title II of the Ethics in Government Act and not to the sections of this Act.

Section 201. Persons required to file

Subsection (a) establishes the filing deadlines for new appointees. This does not change current requirements.

Subsection (b), Paragraphs (1) and (2) establish the filing deadlines for Presidential nominees. In addition, the President has announced his intent to nominate to positions requiring Senate confirmation (other than Foreign Service Officers or certain unconfirmed) and including the requirement to update information regarding income and honoraria to within 5 days of the confirmation hearing. This does not change current requirements.

Subsection (c), paragraph (1) contains the current filing requirements for candidates for President or Vice President. This does not change current requirements.

Subsection (2) requires that an individual who is sworn in as President or Vice President and who moves from any covered position to an elected or appointed position immediately before taking the oath of office shall file a report within 30 days of taking the oath. This is new. It is intended to make clear that the newly-elected President and Vice President or an individual who takes the oath of office of either of those two positions outside the normal election cycle shall file a report within 30 days of taking the oath. A newly-elected President and Vice President who are not incumbents have previously filed as candidates. This amendment will extend the change from candidate to incumbent and give the public timely information regarding these two officials. An individual who is re-elected as President or Vice President would not be affected by this provision and would continue to file annually on May 15.

Subsection (d) contains the requirements for annual reports. This does not change current requirements.

Subsection (e) contains the requirements for termination reports. It has been changed to make sure that an individual who moves from any covered position to an elected or appointed position in the executive branch does not need to file a termination report for the first position.

Subsection (f) contains the descriptions of the officers and employees of the executive branch who must file a public financial disclosure. This does not change current requirements, except that paragraph (6) has been amended to clarify which officers or employees of the Postal Service are required to file by referencing the levels of the Postal Career Executive Service rather than an amount of basic pay.

Subsection (g) contains the provisions for extensions for filing. This does not change current provisions.

Subsection (h) contains a time-limited exception for filing by persons who are not reasonably expected to serve in their positions for more than sixty days in a calendar year. This does not change current authority.

Subsection (i) provides OGE with waiver authority for the filing requirements primarily for certain special Government employees. This does not change current waiver authority.

Section 202. Contents of reports

Subsection (a), paragraph (1), subparagraph (A) requires the reporting of the source, description and category of amount of earned income; except that any income that is not dividends, rents, interest and capital gains; contributions made to charitable organizations in lieu of honoraria; and the amount of payments received by a Presidential candidate in connection with an election exceeds $500 during the reporting period. This change allows all investment income to be reported by category of amount rather than only dividends, interest, and capital gains, and it raises the reporting threshold from $200 to $500.

Subsection (C) sets forth the categories of amounts for reporting earned and investment income. This provision substitutes 5 categories for the current 11 categories used for certain types of investment income.

Subsection (b) requires the reporting of gifts aggregating more than the minimal value established by the Foreign Gifts Act (current $500). This does not change current requirements.

Subsection (b) requires the reporting of reimbursements received for travel when it is more than the amount established by the Foreign Gifts Act. This changes current requirements in that it eliminates the requirement to report the "extraordinary" of the trip but maintains the requirement to report the dates and the nature of the expenses provided.

Subsection (c) provides for a publicly available waiver for reporting gifts. This does not change current authority.

Subsection (d) contains the requirements for reporting interest and property or in a trade or business, or for investment or the production of income property held for the production of income which has a fair market value in excess of $5,000 except that deposit accounts in a financial institution aggregating $100,000 or less and any federal Government securities aggregating $100,000 or less need not be reported. This eliminates the current requirements by raising the general threshold reporting requirement to $5,000, by raising the threshold reporting required for depositories to $100,000 and by creating a new threshold for Government securities at over $100,000 where it currently is treated as other personal property with a $1,000 reporting threshold.

Subsection (e) contains the requirements for reporting the identity and category of value of liabilities which exceed $20,000 at any time during the reporting period except that revolving charge accounts need only be reported if the outstanding liability exceeds $20,000 as of the close of the reporting period. This changes the thresholds by raising the threshold from $10,000 to $20,000.

Subsection (f) contains the reporting requirements for real property and securities that were: purchased, sold or exchanged during the preceding calendar year; the value of the transaction exceeded $5,000; and the property or security is not already required to be reported as a source of income or as an asset. This replaces the current requirements to report the date and category of value of any purchase or exchange of real property or a security which exceeds $1,000 and eliminates some redundant reporting required by current law.

Subsection (g) contains a requirement to report the reporting of certain positions (e.g. officerships, directorships, trusteeships,
partnerships, etc.) held by the reporting official during the period that encompasses the preceding calendar year and the current calendar year in which the report is filed. This change shortens the look-back in the reporting period from two years plus the current to one year plus the current year.

Subparagraph (B) requires a non-elected new entrant to report the sources of individual compensation for personal services rendered by the reporting individual valued in excess of $25,000 in the calendar year prior to or the calendar year in which the first report was filed. It specifically exempts from reporting sources that have already been reported previously as a source of earned income over $500. It also contains a provision that allows the reporting individual to report any information required by this provision if the information is confidential as a result of a privileged relationship or the person for whom the services were provided had a reasonable expectation of privacy. This changes the current requirements by raising the threshold from $5,000 to $25,000; by shortening the look-back in the reporting period from two years plus the current to one year plus the current year; by deleting, through exception, the current requirement for non-elective new entrants to report the sources of income required to be reported elsewhere; and by adding an additional exception for reporting information where the person for whom the services were provided (current) had a reasonable expectation of privacy.

Paragraph (7) requires the reporting of a description of the parties to and the terms of any arrangements for future employment (including the date of any formal agreement for future employment), leaves of absence, continuation of payments by a former employer and continuing participation in an employee benefits plan maintained by a former employer. This changes the current requirement in that it eliminates the requirement that dates of all such agreements must be included, requiring only the dates of formal agreements for future employment.

Paragraph (8) specifies that a category of value shall be used to report the total cash value of the reporting individual in a qualified blind trust, where the cash value of a blind trust is to be reported by category of account (which may include a widely held investment fund) and the trust document prohibited the beneficiary from receiving this information.

Subsection (b), paragraph (1) provides for reporting periods for candidates, Presidential nominees and other new entrants. For income, positions held and client-type information the reporting period will be the year of entry and the preceding calendar year.

Paragraph (2) provides for a new entrant to report the sources of individual compensation for personal services rendered by the reporting individual valued in excess of $25,000 in the calendar year prior to or the calendar year in which the first report was filed. It specifically exempts from reporting sources that have already been reported previously as a source of earned income over $500. It also contains a provision that allows the reporting individual to report any information required by this provision if the information is confidential as a result of a privileged relationship or the person for whom the services were provided had a reasonable expectation of privacy. This changes the current requirements by raising the threshold from $5,000 to $25,000; by shortening the look-back in the reporting period from two years plus the current to one year plus the current year; by deleting, through exception, the current requirement for non-elective new entrants to report the sources of income required to be reported elsewhere; and by adding an additional exception for reporting information where the person for whom the services were provided (current) had a reasonable expectation of privacy.

Subsection (b), paragraph (1) provides for reporting periods for candidates, Presidential nominees and other new entrants. For income, positions held and client-type information the reporting period will be the year of entry and the preceding calendar year. For assets and liabilities, the reporting period is as of a date that is less than 31 days before the filing date. For arrangements and arrangements pending the date of the filing date. This maintains the current requirements except that it reiterates that positions held and client-type information required to be reported for the preceding calendar year plus the current calendar year.

Paragraph (2), subparagraphs (A) and (B) provide for subsection priority to allow a filer to use a format other than the standard form developed by the Office of Governmental Ethics or to provide for an extension of the reporting period by category of amount. This does not change current authority.

Subsection (c) provides for reporting periods for those terminating Government service. This does not change current requirements.

Paragraph (1) provides OGE with regulatory authority to expand a reporting period to cover days in which the filer actually served the Government in a filing position, but information required to be included on any report filed pursuant to this title. This does not change current law.

Subsection (f) sets forth the exception for reporting information regarding the holdings of and the income from a trust in which the filer, spouse, or dependent child has an interest in principal or income, and references the exceptions. This does not change current requirements.

Subsection (g) provides that gifts and reimbursements received when the filer was in a filing position, or included on any report filed pursuant to this title. This does not change current law.
Subsection (i) provides that assets, benefits and income from federal retirement systems or Social Security need not be reported. This does not change current law.

Subsection (j) provides that Designated Agency Ethics Officers shall submit, on a monthly basis, reports of recently granted criminal conflict-of-interest waivers to the Office of Government Ethics. It further provides that the Office of Government Ethics shall make available waivers and of the waivers that has itself granted. This is a new requirement designed to expedite public notice of waivers.

Paragraph (k) provides that waivers be included with the filing for the year in which it was granted. This is a new requirement designed to expedite public availability of waivers.

Section 203. Filing of reports

Subsection (a) provides for the filing of most reports with the agency in which the individual will serve. This does not change current requirements.

Subsection (b) provides that the President and Vice President shall file reports with the Director of the Office of Government Ethics. This does not change current requirements for these individuals although it eliminates the reference to Independent Counsels and their staffs.

Subsection (c) provides that copies of certain reports filed with an agency shall also be transmitted to the Office of Government Ethics. This does not change current requirements.

Subsection (d) requires that the reports filed directly with the Office of Government Ethics shall be available immediately to the public. This does not change current requirements.

Subsection (e) requires that candidates for President and Vice President shall file with the Federal Election Commission. This does not change current requirements.

Subsection (f) requires that reports of members of the uniformed services shall be filed with the Secretary concerned. This does not change current requirements.

Subsection (g) requires that reports of financial disclosure and activity shall be transmitted to the Office of Government Ethics. This does not change current requirements.

Subsection (h) requires that the procedures to be followed by a reviewing agency including OGE to certify an individual to hold an office or position shall supersede any general requirement for certification. This does not change current requirements.

Subsection (i) provides that the Office of Government Ethics shall develop the forms or Social Security need not be re- reported.

Section 204. Failure to file or filing false reports

Subsection (a) provides for civil actions and penalties for knowing and willful falsification and willful failure to file or report information. This does not change current law.

Subsection (b) directs OGE, agency heads and Department Secretaries to refer to the Attorney General the names of individuals for whom there is reasonable cause to believe have willfully falsified or willfully failed to file information required to be reported. This does not change current law.

Subsection (c) provides authority to take appropriate administrative action for failure to file or falsifying or failing to report additional information. This does not change current law.

Subsection (d), paragraph (1) provides a late filing fee of $500. This raises the current fee from $300 to $500.

Paragraph (2) provides OGE with the authority to waive a late filing fee for good cause shown. This changes the standard of the term “good cause” from “extraordinary circumstances.” Experience has shown a good cause test to be more appropriate to meet circumstances where OGE has felt that the fee should be waived, particularly when the failure to file on a timely basis has not been the fault of the filer.

Section 205. Custody of and public access to records

Subsection (a) sets forth the authority that allows agencies to make the reports filed pursuant to the title public and the authority to except from public release certain reports filed by individuals engaged in intelligence activities. This does not change current requirements. This subsection is new.

Subsection (b), Paragraph (1) sets forth the requirements for when the reports must become available to the public and the authority to refuse to release reports. This does not change current requirements.

Paragraph (2) sets forth the requirement for a written request in order to obtain a copy of an individual’s report. This does not change current requirements.

Subsection (c) sets forth the restrictions on obtaining or using a report for specified purposes and such unlawful activities. This does not change current law.

Subsection (d) provides for the periods a report must be retained and available for public inspection and for its subsequent destruction. This does not change current law.

Section 206. Review of reports

Subsection (a) sets forth the time during which an agency should review a report filed with it. This does not change current requirements.

Subsection (b), paragraphs (1)–(6) set forth the procedures to be followed by a reviewing agency including taking a copy of an individual’s report and requesting additional information if he believes it is necessary for the form to be complete or for conflicts of interest analysis. Current law is more general, and a reviewer may request additional information.

Paragraph (7) gives OGE specific authority to render advisory opinions interpreting this act and provides authority for compliance with these opinions. This does not change current law.

Section 207. Confidential reports and other administrative agreements

Subsection (a) gives OGE the authority to establish an additional financial disclosure system for the executive branch. This does not change current authority.

Paragraph (2) provides that financial disclosure reports filed pursuant to this authority will be confidential. This does not change current authority.

Paragraph (3) makes clear that nothing in this authority exempts an individual from filing publicly information required to be reported elsewhere under this title. This does not change current authority.

Subsection (b) provides that this authority shall supersede any general requirement for filing financial information for the purposes of any conflict of interest with the exception of the information required by the Foreign Gifts and Decorations Act. This does not change current law.

Subsection (c) makes clear that reporting any information does not authorize the receipt of the reported income, gifts or reimbursements or other liabilities of property, confer a preference of employment, contracts, or the participation in transactions that are prohibited. This does not change current law.

Section 208. Authority of the Comptroller General

This section provides the CG with access to any financial disclosure report filed pursuant to this title for the purposes of carrying out his statutory responsibilities. This does not change current law with regard to the access to forms. It does, however, eliminate a current requirement that the CG conduct regular audits of such laws. Such elimination is consistent with efforts to eliminate periodic Government requirements, but does not in any way affect the CG’s authority to conduct such a study on an as needed or requested basis.

Section 209. Definitions

The following terms are defined: (1) dependent child; (2) designee; (3) executive official; (4) gift; (5) honoraria; (6) income; (7) personal hospitality of any individual; (8) reimbursement; (9) relative; (10) Secretary concerned; (11) value. All terms retain their current definitions except “gift” no longer includes an exception for consumable products provided to Independent Counsel or home-State law because of its primary relevance for Members of Congress and includes an exception for gifts accepted or reported pursuant to the Foreign Honoraria Act; “honoraria” is defined as a section of a law that has been ruled unconstitutional and/or unenforceable for the executive branch and instead is now defined as a thing of value for a speech, article or appearance; and “income” now specifically includes prizes and awards as a part of the items that are considered income. This section includes a provision to recoup and eliminates individual terms that were only required to be defined if the legislative and/or judicial branch filing requirements were incorporated into this section.

Section 210. Notice of actions taken to comply with ethics agreements

Subsection (a) sets forth the notification requirements that must be followed by an individual who has agreed to take specified actions in order to avoid conflicts of interest. Notification must first be made no later than the date specified in the agreement or, if no date is specified, no later than 3 months after the date of the agreement. If all actions have not been taken by the time the notification is required, the individual must thereafter, on a monthly basis, file a report until all agreements are met. Current law only requires one notification; this adds the continuing monthly requirement to report the status of steps taken to comply until all terms of the agreement have been met.

Subsection (b) describes the documentation required to be filed for an ethics agreement. This section includes a provision to recoup and eliminates individual terms that were only required to be defined if the legislative and/or judicial branch filing requirements were incorporated into this section.

Section 211. Administration of provisions

This section provides OGE with clear authority to issue regulations, develop forms and provide such guidance as is necessary to implement and interpret this title. This clarifies current law for the executive branch.

Sec. 5. Provides that the Executive Clerk of the White House will transmit a list of Presidentially-appointed positions to each presidential candidate following the nominating conventions. This is a change to current law, under which such a list could only be provided to the President-elect after the November election. This section is intended to speed the process of identifying and vetting major President appointees.

Sec. 6. Provides that the head of each agency will submit a plan, within 180 days of enactment of the Act, that details the number of Presidentially-appointed positions that will be filled within the agency and outlines a plan to reduce the number of those positions. This is clearly a new requirement, one intended to begin the dialogue of reducing the large number of appointees and speeding up the process for positions that remain.

Sec. 7. Provides that the Attorney General will review the legal sufficiency of existing interest laws and suggest coordination and improvements that might be made. This section is designed to aid in the decriminalization of such laws, in the hope that honest mistakes are made in the process of recording extensive financial transactions.
Section 8. Provides that the amendments made by Section 4 take effect on January 1 of the year following the date of enactment of the Act.

By Mr. CORZINE (for himself and Mr. TORRICELLI):

S. 1812. A bill to repeat the provision of the September 11th Victim Compensation Fund of 2001 that requires the reduction of a claimant’s compensation by the amount of any collateral source compensation payments the claimant is entitled to receive, and for other purposes; to the Committee on the Judiciary.

Mr. CORZINE. Madam President, today along with Senator TORRICELLI I am introducing legislation to ensure that the families of those who suffered tremendous losses in the terrorist attacks on September 11th receive the compensation they deserve and need to move forward with their lives. The bill would eliminate provisions in current law that reduce compensation to which they are entitled because of contributions received from other sources.

New Jersey has been tragically affected by the terrorist attacks of September 11th. Last weekend we met with over 400 family members who lost a loved one on the 11th. These people are dealing with unimaginable pain, and many are struggling as they try to provide for the security of their families.

To obtain assistance, families are being forced to navigate through extensive paperwork burdens. They have filled out countless forms and made countless calls seeking answers about the benefits to which they are entitled. Yet many fear that, notwithstanding their efforts, they will be unable to secure the assistance that they need so badly.

The American people want to help these victims, and Congress has acted in an effort to make that happen. Soon after September 11, as part of broader legislation to support the airline industry, Congress established a fund to compensate the victims of the attacks, the September 11 Victim Compensation Fund.

Under that legislation, victims and their families can choose to seek compensation from the Fund, in return for relinquishing their right to file suit against an airline. Those victims who opt-in are eligible for full economic and non-economic damages, but not punitive damages. The amount of compensation will be determined by a Special Master; Kenneth Feinberg.

The purpose of the Fund is to ensure that victims are fully compensated without having to go to court, a process that could take many years for families who urgently need assistance. I support this goal. Unfortunately, in our desire to both aid the industry by limiting their liability and to provide compensation to the victims and their families, we rushed the legislation to enactment without sufficient consideration of how the Fund would operate.

As a result, the law contains a glaring flaw. It includes a “collateral source” rule, which requires the Special Master to deduct the amount of life insurance and pension payments from the amount of compensation that would otherwise be available to victims and families under the Fund. This rule, in my view, is a serious mistake, and threatens to deny needed compensation for many of these victims.

It is wrong to treat victims of the disaster on September 11 any differently. Reducing their awards not only harms these families, it also runs counter to the goals of the original legislation. After all, if families cannot obtain the compensation they need through the Victims Compensation Fund, some of them will be forced to go straight to court. That will delay the compensation they need, and subject airlines to costs and liability that Congress sought to protect them against.

I would note, that in addition to repealing the collateral source rule, my legislation makes clear that charitable donations should not be considered collateral sources and should not count against compensation awarded under the Fund. This no only ensures that families get the compensation they need, but its ensures that those who make charitable contributions are not treated unfairly. After all, those who have generously sent checks to charitable organizations did not think that their contributions would reduce Federal compensation. In effect, such a reduction would punish people who have contributed their own funds in an effort to help. In addition, without such a clarification, charities may withhold funds for victims until after they recover from the fund, in order to avoid an offset.

Recovery under the Victims’ Compensation Fund is not the only relief that these grieving families need. Although charities have provided some assistance to families over the past three months, it has only been a stopgap measure. These families need immediate tax relief. I am pleased that just before Thanksgiving the Senate passed a comprehensive victims’ tax relief bill, but unfortunately the House has only passed a more narrow version of the legislation.

These families need immediate relief so that they can plan and provide for their families. They need: a waiver of federal income tax liability for this relief and emergency relief benefits from tax; a waiver of federal income tax liability, and are also less likely to have left their families with life insurance and pensions; reduced estate taxes; exclusion of survivor, disability, and emergency relief benefits from taxation; and finally, we need to make it easier for charitable organizations to make disaster relief payments to help victims and their families with both short- and long-term needs, such as scholarships for victims’ children.

Many of these proposals are based on provisions in current law that provide tax relief to soldiers who die in combat and government employees who die in terrorist attacks outside the United States. Extending these provisions to the victims of the terrorist attacks is appropriate because the attacks of September 11 were attacks on our entire nation.

Last week some families came down here to meet with the New Jersey delegation and House and Senate leadership to plead for immediate assistance, so that they can pay their mortgages, keep their children in school, and keep their heads above water. They made their case powerfully and effectively, and we in Congress must not let them down.

I urge my colleagues to stand up for these victims and support my legislation. I ask unanimous consent 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. 1812

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 “September 11th Victim Compensation Fund Fairness Act”.

SEC. 2. REPEAL OF COLLATERAL COMPENSATION PROVISION.

(a) REPEAL OF COLLATERAL COMPENSATION PROVISION.—Section 405(b)(6) of the September 11th Victim Compensation Fund of 2001 (49 U.S.C. 40101 note) is hereby repealed. The compensation program established under the September 11th Victim Compensation Fund of 2001 shall be administrated as if section 405(b)(6) of that Act had not been enacted.

SEC. 3. AMENDMENT OF COLLATERAL SOURCE DEFINITION.

Paragraph (6) of section 402 of the September 11th Victim Compensation Fund of 2001 is amended by adding at the end thereof—“The term ‘collateral source’ does not include payments or other assistance received from a nonprofit organization, if such organization is described in paragraph (1) of section 501(c) of the Internal Revenue Code of 1986 and is exempt from tax under section 501(a) of such Code.”.

AMENDMENTS SUBMITTED AND PROPOSED

SA 2481. Mr. ALLEN submitted an amendment intended to be proposed to amendment SA 2471 submitted by Mr. DASCHLE and intended to be proposed to the bill (S. 1731) to strengthen the safety net for agricultural producers, to enhance resource conservation and rural development, to provide for farm credit, agricultural research, nutrition, and related programs, to ensure consumers abundant food and fiber, and for other purposes; which was ordered to lie on the table.

SA 2482. Mr. ALLEN submitted an amendment intended to be proposed by him to the bill S. 1731, supra, which was ordered to lie on the table.

SA 2483. Mr. CLELAND submitted an amendment intended to be proposed by him to the bill S. 1692, supra, which was ordered to lie on the table.

The amendment was as follows:

Amendments Submitted and Proposed

SA 2481. Mr. ALLEN submitted an amendment intended to be proposed to amendment SA 2471 submitted by Mr. DASCHLE and intended to be proposed to the bill (S. 1731) to strengthen the safety net for agricultural producers, to enhance resource conservation and rural development, to provide for farm credit, agricultural research, nutrition, and related programs, to ensure consumers abundant food and fiber, and for other purposes; which was ordered to lie on the table.

SA 2482. Mr. ALLEN submitted an amendment intended to be proposed by him to the bill S. 1731, supra, which was ordered to lie on the table.

SA 2483. Mr. CLELAND submitted an amendment intended to be proposed by him to the bill S. 1692, supra, which was ordered to lie on the table.
the Committee on Health, Education, Labor, and Pensions.

SA 248. Mr. CLELAND submitted an amendment intended to be proposed by him to the bill S. 1731, supra; which was ordered to lie on the table.

SA 2485. Mr. TORKICELLI (for himself and Mr. REID) submitted an amendment intended to be proposed by him to the bill S. 1731, to strengthen the safety net for agricultural producers, to enhance resource conservation and rural development, to provide for farm credit, agricultural research, nutrition, and related programs, to ensure consumers abundant food and fiber, and for other purposes; which was ordered to lie on the table.

SA 2486. Mrs. MURRAY submitted an amendment intended to be proposed by her to the bill S. 1731, supra; which was ordered to lie on the table.

SA 2487. Mr. STEVENS submitted an amendment intended to be proposed to amendment SA 2471 submitted by Mr. DASCHLE and intended to be proposed to the bill (S. 1731) supra; which was ordered to lie on the table.

SA 2488. Mr. STEVENS submitted an amendment intended to be proposed to amendment SA 2471 submitted by Mr. DASCHLE and intended to be proposed to the bill (S. 1731) supra; which was ordered to lie on the table.

SA 2489. Mr. STEVENS submitted an amendment intended to be proposed to amendment SA 2471 submitted by Mr. DASCHLE and intended to be proposed to the bill (S. 1731) supra; which was ordered to lie on the table.

SA 2491. Mr. SANTORUM submitted an amendment intended to be proposed to amendment SA 2471 submitted by Mr. DASCHLE and intended to be proposed to the bill (S. 1731) supra; which was ordered to lie on the table.

SA 2492. Mrs. MURRAY (for herself, Ms. CANTWELL, Mr. INOUYE, Mr. BAUCUS, Mr. WELLSFONNE, and Mr. DASCHLE) submitted an amendment intended to be proposed to amendment SA 2471 submitted by Mr. DASCHLE and intended to be proposed to the bill (S. 1731) supra; which was ordered to lie on the table.

SA 2494. Mr. SMITH, of Oregon submitted an amendment intended to be proposed by him to the bill S. 1731, supra; which was ordered to lie on the table.

SA 2495. Mr. SMITH, of New Hampshire submitted an amendment intended to be proposed by him to the bill S. 1731, supra; which was ordered to lie on the table.

SA 2496. Mr. SANTORUM (for himself, Mr. DUREN, and Mr. FEINGOLD) submitted an amendment intended to be proposed to amendment SA 2471 submitted by Mr. DASCHLE and intended to be proposed to the bill (S. 1731) supra; which was ordered to lie on the table.

SA 2497. Mr. SMITH, of Oregon submitted an amendment intended to be proposed to amendment SA 2471 submitted by Mr. DASCHLE and intended to be proposed to the bill (S. 1731) supra; which was ordered to lie on the table.

SA 2498. Mr. SMITH, of Oregon submitted an amendment intended to be proposed to amendment SA 2471 submitted by Mr. DASCHLE and intended to be proposed to the bill (S. 1731) supra; which was ordered to lie on the table.

SA 2499. Mr. BYRD submitted an amendment intended to be proposed to amendment SA 2471 submitted by Mr. DASCHLE and intended to be proposed to the bill (S. 1731) supra; which was ordered to lie on the table.

SA 2500. Mrs. FEINSTEIN submitted an amendment intended to be proposed to amendment SA 2471 submitted by Mr. DASCHLE and intended to be proposed to the bill (S. 1731) supra; which was ordered to lie on the table.

SA 2501. Mrs. FEINSTEIN submitted an amendment intended to be proposed to amendment SA 2471 submitted by Mr. DASCHLE and intended to be proposed to the bill (S. 1731) supra; which was ordered to lie on the table.

SA 2502. Mr. DOMENICI (for himself, Mr. CRAIG, Mr. BURNS, Mr. CRAPO, Mrs. HUTCHISON, Mr. ENZI, Mr. THOMAS, Mr. KYL, Mr. PALMER, Mr. HARCUS, Mr. AN- LARD, and Mr. CAMPBELL) proposed an amendment to amendment SA 2471 submitted by Mr. DASCHLE and intended to be proposed to amendment SA 2471 submitted by Mr. DASCHLE and intended to be proposed to the bill (S. 1731) supra; which was ordered to lie on the table.

SA 2503. Mr. REID (for Mr. KENNEDY (for himself, Mr. WARNER, Mr. FEINTE, Mrs. CLINN- NON, Mr. WELLSFONNE, Mrs. MUR- RAY, and Mr. DOMENICI)) proposed an amendment to the bill S. 1729, to provide assistance with respect to the mental health needs of individuals affected by the terrorist attacks of September 11, 2001.

SA 2504. Mr. LEVIN submitted an amendment intended to be proposed to amendment SA 2471 submitted by Mr. DASCHLE and intended to be proposed to the bill (S. 1731) supra and to strengthen the safety net for agricultural producers, to enhance resource conservation and rural development, to provide for farm credit, agricultural research, nutrition, and related programs, to ensure consumers abundant food and fiber, and for other purposes; which was ordered to lie on the table.

SA 2505. Mr. LEVIN submitted an amendment intended to be proposed to amendment SA 2471 submitted by Mr. DASCHLE and intended to be proposed to the bill (S. 1731) supra; which was ordered to lie on the table.

SA 2506. Mr. LEVIN submitted an amendment intended to be proposed to amendment SA 2471 submitted by Mr. DASCHLE and intended to be proposed to the bill (S. 1731) supra; which was ordered to lie on the table.

SA 2507. Mr. LEVIN submitted an amendment intended to be proposed to amendment SA 2471 submitted by Mr. DASCHLE and intended to be proposed to the bill (S. 1731) supra; which was ordered to lie on the table.

SA 2508. Mr. LEVIN submitted an amendment intended to be proposed to amendment SA 2471 submitted by Mr. DASCHLE and intended to be proposed to the bill (S. 1731) supra; which was ordered to lie on the table.

SA 2509. Mr. GRAMM submitted an amendment intended to be proposed by him to the bill S. 1731, supra; which was ordered to lie on the table.

SA 2510. Mr. GRAMM submitted an amendment intended to be proposed by him to the bill S. 1731, supra; which was ordered to lie on the table.

SA 2511. Mr. DASCHLE (for himself and Mr. LUGAR) proposed an amendment to amendment SA 2471 submitted by Mr. DASCHLE and intended to be proposed to the bill (S. 1731) supra.

SA 2512. Mr. CRAIG (for himself and Mr. GREIHO) proposed an amendment to amendment SA 2471 submitted by Mr. DASCHLE and intended to be proposed to the bill (S. 1731) supra.

SA 2513. Mr. BOND (for himself, Mr. GRASS-LEY, Mr. ENZI, Mr. HAGEL, and Mr. MILLER) proposed an amendment to amendment SA 2471 submitted by Mr. DASCHLE and intended to be proposed to the bill (S. 1731) supra.

SA 2514. Mr. SMITH, of Oregon submitted an amendment intended to be proposed to amendment SA 2471 submitted by Mr. DASCHLE and intended to be proposed to the bill (S. 1731) supra.

TEXT OF AMENDMENTS

SA 2481. Mr. ALLEN submitted an amendment intended to be proposed to amendment SA 2471 submitted by Mr. DASCHLE and intended to be proposed to amendment SA 2471 submitted by Mr. DASCHLE to the bill (S. 1731) to strengthen the safety net for agricultural producers, to enhance resource conservation and rural development, to provide for farm credit, agricultural research, nutrition, and related programs, to ensure consumers abundant food and fiber, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SECTION 1. SHORT TITLE.
This Act may be cited as the ‘‘Homestead Preservation Act’’.

SEC. 2. MORTGAGE PAYMENT ASSISTANCE.
(a) ESTABLISHMENT OF PROGRAM.—The Secretary of Labor (referred to in this section as the ‘‘Secretary’’) shall establish a program under which the Secretary shall award low-interest loans to eligible individuals to enable such individuals to continue to make mortgage payments with respect to the primary residences of such individuals.

(b) ELIGIBILITY.—To receive a loan under the program established under subsection (a), an individual shall:

(1) be—
(A) an adversely affected worker who is receiving benefits under chapter 2 of title II of the Trade Act of 1974 (19 U.S.C. 2271 et seq.);

(b) and an individual who would be an individual described in subparagraph (A) but who resides in a State that has not entered into an agreement under section 259 of such Act (19 U.S.C. 2311);

(2) be a borrower under a loan which requires the individual to make monthly mortgage payments with respect to the primary place of residence of the individual; and

(3) be enrolled in a job training or job assistance program.

(c) LOAN REQUIREMENTS.—
(1) IN GENERAL.—A loan provided to an eligible individual under this section shall—
(A) be for a period of not to exceed 12 months;

(B) be for an amount that does not exceed the sum of—
(i) the amount of the monthly mortgage payment owed by the individual; and

(ii) the number of months for which the loan is provided;

(C) have an applicable rate of interest that equals 4 percent; and

(D) require repayment as provided for in subsection (d); and

(S) SEC. 3. INCLUSION OF MORTGAGE PAYMENTS.—The Act includes mortgage payments made under this Act in the costs of rehabilitation assistance program.
(E) be subject to such other terms and conditions as the Secretary determines appropriate.

(2) ACCOUNT.—A loan awarded to an individual under this section shall be deposited into an account from which a monthly mortgage payment will be made in accordance with the terms and conditions of such loan.

(d) REGULATIONS.—(1) IN GENERAL.—An individual to which a loan has been awarded under this section shall be required to begin making repayments not later than 6 weeks after the date on which the loan has been approved under this section.

(2) REPAYMENT PERIOD AND AMOUNT.—(A) REPAYMENT PERIOD.—A loan awarded under this section shall be repaid on a monthly basis over the 5-year period beginning on the date determined under paragraph (1).

(B) AMOUNT.—The amount of the monthly payment described in subparagraph (A) shall be determined by dividing the total amount of the loan (plus interest) by 60.

(III) RULE OF CONSTRUCTION.—Nothing in this paragraph shall be construed to prohibit the Secretary from establishing regulations necessary to carry out this section, including regulations that permit an individual to certify that the individual is an eligible individual under subsection (b).

(f) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section, $10,000,000 for each of fiscal years 2003 through 2007.

SA 2482. Mr. ALLEN submitted an amendment intended to be proposed by him to the bill S. 1731, to strengthen the safety net for agricultural processors, to enhance resource conservation and rural development, to provide for farm credit, agricultural research, nutrition, and disaster assistance programs, to ensure consumers abundant food and fiber, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SECTION 1. SHORT TITLE. This Act may be cited as the “Homestead Preservation Act.”

SEC. 2. MORTGAGE PAYMENT ASSISTANCE.

(a) ESTABLISHMENT OF PROGRAM.—The Secretary of Labor (referred to in this section as the “Secretary”) shall establish a program under this section to make monthly mortgage payments with respect to the primary residences of such individuals.

(b) ELIGIBILITY.—To be eligible to receive a loan under the program established under subsection (a), an individual shall—

(1) be a borrower who—

(A) is a resident of the State to which the loan is to be made;

(B) is an adversely affected worker who is receiving benefits under chapter 2 of title II of the Trade Act of 1974 (19 U.S.C. 2271 et seq.); or

(C) is an individual who—

(i) is a member of a tribe or is a member of an Alaskan Native village corporation;

(ii) has resided in the tribe or village for 30 years; or

(iii) is a naturalized citizen who has resided in the tribe or village for 10 years; or

(iv) has resided in the tribe or village continuously for 10 years; or

(v) has resided in the tribe or village continuously for 20 years; or

(vi) has resided in the tribe or village continuously for 30 years; or

(vii) is an individual of traditional cultural importance who has resided in the tribe or village continuously for 10 years; or

(viii) is an individual of traditional cultural importance who has resided in the tribe or village continuously for 20 years; or

(ix) is an individual of traditional cultural importance who has resided in the tribe or village continuously for 30 years; or

(x) is a member of traditional cultural importance who has resided in the tribe or village continuously for 10 years; or

(xi) is a member of traditional cultural importance who has resided in the tribe or village continuously for 20 years; or

(xii) is a member of traditional cultural importance who has resided in the tribe or village continuously for 30 years; or

(xiii) is an individual of traditional cultural importance who has resided in the tribe or village continuously for 10 years; or

(xiv) is an individual of traditional cultural importance who has resided in the tribe or village continuously for 20 years; or

(xv) is an individual of traditional cultural importance who has resided in the tribe or village continuously for 30 years; or

(xvi) is an individual of traditional cultural importance who has resided in the tribe or village continuously for 10 years; or

(xvii) is an individual of traditional cultural importance who has resided in the tribe or village continuously for 20 years; or

(xviii) is an individual of traditional cultural importance who has resided in the tribe or village continuously for 30 years; or

(xix) is an individual of traditional cultural importance who has resided in the tribe or village continuously for 10 years; or

(xx) is an individual of traditional cultural importance who has resided in the tribe or village continuously for 20 years; or

(2) has been employed on a full-time basis for 6 consecutive months;

(3) will be employed full-time after the date of enactment of this Act, as determined by dividing the total amount of payment owed by the individual; and

(4) have an applicable rate of interest that equals 4 percent.

(c) LOAN REQUIREMENTS.—(1) IN GENERAL.—A loan awarded to an individual under this section shall be determined by dividing the total amount provided under the loan (plus interest) by 60.

(2) REPAYMENT PERIOD AND AMOUNT.—(A) REPAYMENT PERIOD.—A loan awarded under this section shall be repaid on a monthly basis over the 5-year period beginning on the date determined under paragraph (1).

(B) AMOUNT.—The amount of the monthly payment described in subparagraph (A) shall be determined by dividing the total amount provided under the loan (plus interest) by 60.

(d) RULE OF CONSTRUCTION.—Nothing in this paragraph shall be construed to prohibit the Secretary from establishing regulations necessary to carry out this section, including regulations that permit an individual to certify that the individual is an eligible individual under subsection (b).

(e) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section, $10,000,000 for each of fiscal years 2003 through 2007.

SA 2483. Mr. CLELAND submitted an amendment intended to be proposed by him to the bill S. 1650, to amend the Public Health Service Act to change provisions related to public health emergencies; which was referred to the Committee on Health, Education, Labor, and Pensions; as follows:

At the end of the bill, add the following:

SEC. — Public Health Emergencies.

(a) Short Title. This section may be cited as the “Public Health Emergencies Accountability Act.”

(b) AMENDMENT.—Part B of title III of the Public Health Service Act (42 U.S.C. 233 et seq.) is amended by striking section 319 and inserting the following:


(a) Emergencies.—If the Secretary determines, after consultation with the Director of the Centers for Disease Control and Prevention and other public health officials as may be necessary, that—

(1) a disease or disorder presents a public health emergency; or

(2) a detected or suspected public health emergency, including significant outbreaks of infectious diseases or terrorist attacks involving biological, chemical, or radiological weapons, otherwise exists; and

the Secretary may take such action as may be appropriate to respond to the public health emergency, including making grants and entering into contracts and, acting through the Centers for Disease Control and Prevention, conducting and supporting investigations into cause, treatment, or prevention of a disease or disorder as described in paragraphs (1) and (2), directing the response of other Federal departments and agencies with respect to the safety of the general public and Federal employees and facilities, and disseminating information to assist States, localities, and the general public in responding to a disease or disorder as described in paragraphs (1) and (2).

(b) Determination.—A determination of an emergency by the Secretary under subsection (a) shall supersede all other provisions of law with respect to assigned responsibilities of the Federal Government, but in all such cases the Secretary shall keep the relevant Federal departments and agencies, including but not limited to the Department of Justice, the Federal Bureau of Investigation, the Office of Homeland Security, and the committees of Congress listed in subsection (f), fully and currently informed.

(c) Full Disclosure.—In cases involving, or potentially involving, a public health emergency, but where no determination of an emergency by the Secretary, under the provisions of subsection (a), has been made, all relevant Federal departments and agencies, including but not limited to the Department of Justice, the Federal Bureau of Investigation, the Office of Homeland Security, shall keep the Secretary and the Centers for Disease Control and Prevention and the committees of Congress listed in subsection (f), fully and currently informed.

(d) Public Health Emergency Fund.—In general.—There is established in the Treasury a fund to be designated as the “Public Health Emergency Fund” to be made available to the Secretary without fiscal year limitation to carry out subsection (a) only if a public health emergency has been declared by the Secretary under such subsection. There is authorized to be appropriated to the Fund such sums as may be necessary.

(2) Report.—Not later than 90 days after the end of each fiscal year, the Secretary shall report to the Committee on Health, Education, Labor, and Pensions and the Committee on Appropriations of the Senate and the Committee on Commerce and the Committee on Oversight and Government Reform of the House of Representatives a report describing—

(1) the expenditures made from the Public Health Emergency Fund in each fiscal year; and

(2) each public health emergency for which the expenditures were made and the activities undertaken in response to each emergency which was conducted or supported by expenditures from the Fund.

该文档是一个美国参议院的议案文本文档，主要内容是关于“Homestead Preservation Act”和“Homestead Homestead Preservation Act”修改案。具体包括了贷款支付、资格认定、贷款要求、授权拨款等详细规定。该文档还包括了一些具体的修正案，如SA 2482和SA 2483，分别涉及农业处理器的支持、住房贷款支付和公共健康紧急情况的调整。
December 12, 2001

SA 2484. Mr. CLELAND submitted an amendment to be proposed by him to the bill S. 1765, to improve the ability of the United States to prepare for and respond to a biological threat or attack; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. 3. DEVELOPMENT OF CAMPUSES OF THE CENTERS FOR DISEASE CONTROL AND PREVENTION.

Section 319D of the Public Health Service Act (42 U.S.C. 274d-4), as amended by section 262, is further amended by adding at the end the following:

"(d) DEVELOPMENT OF CAMPUSES OF THE CENTERS FOR DISEASE CONTROL AND PREVENTION.—

"(1) IN GENERAL.—Notwithstanding the provisions of the Public Buildings Act of 1989 (40 U.S.C. 601 et seq), or any other provision of law inconsistent with this subsection other than Federal environmental and historic preservation laws, the Secretary, in order to relocate the Centers for Disease Control and Prevention's public health research, policy making, and administrative operations that are housed on the date of enactment of this title in various leased properties throughout the United States, and to facilitate the development of real property that is under the jurisdiction or control of the Secretary, may enter into a cooperative development lease proposal.

"(A) The Proposed location of the building or property subject to this subsection shall be the Centers for Disease Control and Prevention.

"(B) OTHER THAN FEDERAL ENVIRONMENTAL AND HIS-

DROVISIONS OF THE SENATE AND THE COMMITTEE ON

COMMERCIAL OF THE HOUSE OF REPRESENTATIVES AND THE COMMITTEE ON APPROPRIATIONS OF THE HOUSE OF REPRESENTATIVES.

SA 2485. Mr. TORRICELLI (for himself and Mr. REID) submitted an amendment intended to be proposed by him to the bill S. 1765, to provide the safety net for agricultural producers, to enhance resource conservation and rural development, to provide for farm credit, agricultural research, nutrition, and pest management programs, to ensure consumers abundant food and fiber, and for other purposes; which was ordered to lie on the table; as follows:

Strike the period at the end of title C of title X and insert a period and the following:

SEC. 33. PEST MANAGEMENT IN SCHOOLS.

(a) DEFINITIONS.—In this section:

"(1) PEST.—The term 'pest' means an insect, rodent, or other animal that is known to cause damage to human or animal health and safety, or to food, feed, plants, or other property.

"(2) SCHOOL.—The term 'school' means a public elementary school (as defined in section 3 of the Elementary and Secondary Education Act of 1965);
‘‘(ii) secondary school (as defined in section 3 of that Act); ‘‘(iii) kindergarten or nursery school that is part of an elementary school or secondary school; ‘‘(iv) tribally-funded school.

‘‘(B) INCLUSIONS.—The term ‘school’ includes any school building, and any area outside of the school building (including a lawn, playground, sports field, and any other property or facility), that is controlled, managed, or owned by the school or school district.

‘‘(6) PARTICIPATING IN PROGRAM.—The term ‘school pest management plan’ means a pest management plan developed under subsection (a).

‘‘(7) STAFF MEMBER.— ‘‘(A) IN GENERAL.—The term ‘staff member’ means a person hired by a school or local educational agency.

‘‘(B) EXCLUSIONS.—The term ‘staff member’ does not include—

‘‘(i) a person hired by a school, local educational agency, or State to apply a pesticide; or

‘‘(ii) a person assisting in the application of a pesticide.

‘‘(8) LOCAL EDUCATIONAL AGENCY.—The term ‘State agency’ means the agency of a State, or an agency of an Indian tribe or tribal organization (as those terms are defined in section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450b)), that exercises primary jurisdiction over matters relating to pesticide regulation.

‘‘(9) POSTER, NOTICE.—The term ‘universal notice’ means notice provided by a local educational agency or school to—

‘‘(A) parents, legal guardians, or other persons with legal standing as parents of each child attending the school; and

‘‘(B) the public at large.

‘‘(10) SCHOOL PEST MANAGEMENT PLANS.—

‘‘(A) STATE PLANS.—

‘‘(i) the school pest management plan of a State agency under paragraph (4)(A), the Administrator shall—

‘‘(I) implement a system that—

‘‘(II) requires that each local educational agency by the State agency shall develop and submit to the Administrator for approval, as part of the State cooperative agreement under section 23, a school pest management plan for local educational agencies in the State.

‘‘(B) IMPLEMENTATION BY LOCAL EDUCATIONAL AGENCIES.—

‘‘(i) consistent with the definition of a school pest management plan under subsection (a);

‘‘(ii) require that each local educational agency that is participating in a school pest management plan, that includes a description of the procedures that shall be followed in their school pest management plan.

‘‘(3) COMPONENTS.—A school pest management plan developed under subparagraph (B) shall—

‘‘(A) provide a school pest control plan for each local educational agency by the State agency; and

‘‘(B) provide the State agency with recommendations for and assistance in revising the school pest management plan to meet the requirements; and

‘‘(C) maintain a school pest management plan that, at a minimum, meets the standards and criteria established under this section (as determined by the Administrator), and the State agency may maintain the school pest management plan and shall not be required to develop a new pesticide application plan.

‘‘(4) EXCEPTION FOR EXISTING STATE PLANS.—If, on the date of enactment of the School Environment Protection Act of 2001, a State has implemented a school pest management plan that, at a minimum, meets the requirements under section 3 of that Act (as determined by the Administrator), the State agency may maintain the school pest management plan under paragraph (5).

‘‘(B) DISTRIBUTION OF STATE PEST PLAN TO SCHOOLS.—On approval of the school pest management plan of a State agency, the State agency shall provide each school with a school pest management plan that, at a minimum, meets the standards and criteria established by the State agency under clause (i).

‘‘(C) COMPONENTS.—A school pest management plan developed under paragraph (B) shall—

‘‘(i) the application of a pesticide (other than a pesticide, including a bait, gel or spray, that is described in paragraph (4)(A) to any area or room at a school while the area or room is occupied or in use by students or staff members (except students or staff members who may be participating in regular or vocational agricultural instruction involving the use of pesticides); and

‘‘(ii) a person hired by students or staff members of an area or room treated with a pesticide by broadcast spraying, baseboard spraying, fogging, or fumigation.

‘‘(5) CONDUCT AND DETECTION OF PESTICIDE APPLICATIONS.—

‘‘(A) IN GENERAL.—Each local educational agency shall designate a contact person to carry out a school pest management plan in schools under the jurisdiction of the local educational agency.

‘‘(B) CONTACT PERSON.—

‘‘(i) the application of a pesticide (other than a pesticide, including a bait, gel or spray, that is described in paragraph (4)(A) to any area or room at a school while the area or room is occupied or in use by students or staff members (except students or staff members who may be participating in regular or vocational agricultural instruction involving the use of pesticides); and

‘‘(ii) a person hired by students or staff members of an area or room treated with a pesticide by broadcast spraying, baseboard spraying, fogging, or fumigation.

‘‘(C) APPLICATION OF PESTICIDES AT SCHOOLS.—A school pest management plan shall prohibit—

‘‘(i) the application of a pesticide (other than a pesticide, including a bait, gel or spray, that is described in paragraph (4)(A) to any area or room at a school while the area or room is occupied or in use by students or staff members (except students or staff members who may be participating in regular or vocational agricultural instruction involving the use of pesticides); and

‘‘(ii) a person hired by students or staff members of an area or room treated with a pesticide by broadcast spraying, baseboard spraying, fogging, or fumigation.

‘‘(D) IMPLEMENTATION OF PESTICIDE APPLICATIONS.—

‘‘(i) require that each local educational agency that is participating in a school pest management plan, that includes a description of the procedures that shall be followed in their school pest management plan.

‘‘(ii) require, for pesticide applications at the school, universal notification to be provided by—

‘‘(I) the school, to all students and parents;

‘‘(II) the school board, or the local educational agency, to all students and their parents;

‘‘(iii) the school, to all students and staff members;

‘‘(D) IMPLEMENTATION OF PESTICIDE APPLICATIONS.—

‘‘(i) require that each local educational agency that is participating in a school pest management plan, that includes a description of the procedures that shall be followed in their school pest management plan,

‘‘(ii) require, for pesticide applications at the school, universal notification to be provided by—

‘‘(I) the school, to all students and parents;

‘‘(II) the school board, or the local educational agency, to all students and their parents;

‘‘(iii) the school, to all students and staff members;
“(iv) the following statement (including information to be supplied by the school as indicated in brackets):

“As part of a school pest management plan, [insert school name] may use pesticides to control pests. The Environmental Protection Agency (EPA) and [insert name of State agency exercising jurisdiction over pesticide registration and use] register pesticides that are used. EPA continues to examine registered pesticides to determine that use of the pesticides in accordance with instructions printed on the label of the pesticide does not pose unreasonable risks to human health and the environment. Nevertheless, EPA cannot guarantee that registered pesticides do not pose risks, and unnecessary pesticidal applications should be avoided. Based in part on recommendations of a 1993 study by the National Academy of Sciences that reviewed registered pesticides and their potential to cause unreasonable adverse effects on human health, particularly on the health of pregnant women, infants, and children, Congress enacted the Food Quality Protection Act of 1996. That law requires EPA to reevaluate all registered pesticides and new pesticides to measure their safety, taking into account the unique exposures of children (including pregnant women, infants, and children may have to pesticides. EPA review under that law is ongoing. You may request additional information about integrated pest management practices in advance of pesticide applications to be made and receive information about the applications by registering with the school. Certain pesticides used by the school (including baits, pastes, and gels) are exempt from notification requirements. If you would like more information concerning any pesticide application or any product used at the school, contact [insert name and phone number of contact person].”

“(B) NOTIFICATION TO PERSONS ON REGISTRY.

“(i) In general.—Except as provided in clause (ii) and paragraph (5)—

“(II) a written notice sent home with the students by the school, except that the notice delivered electronically (such as through electronic mail or facsimile).

“(F) REASSURANCE.—If the date of the application of the pesticide needed to be extended beyond 24 hours, the school shall issue a notice containing only the new date and location of application.

“(G) POSTING OF SIGNS.

“(i) In general.—Except as provided in paragraph (5)—

“(II) The school shall post a sign not later than the last business day during which school is in session preceding the date of application of a pesticide at the school; and

“(II) The application of a pesticide for which a notice is given under subparagraph (A) shall commence before the end of the business day.

“(ii) Location.—A sign shall be posted under clause (i) at—

“(I) a central location noticeable to individuals entering the building; and

“(II) at the direction of a staff member listed on the registry, a staff member listed on the website address of the Office of Pesticide Programs of the Environmental Protection Agency; and

“(III) Administration.—A sign required to be posted under clause (i) shall be

“(iv) from exposure to each pesticide to be applied based on—

“(aa) a description of potentially acute and chronic effects that may result from exposure to the pesticide to be applied; and

“(bb) information derived from the material safety data sheet for the end-use dilution of the pesticide to be applied (if available) or the material safety data sheets; and

“(cc) final, official information related to the pesticide on the registry, and the designated contact person, on the registry, and the designated contact person, notice of the application of the pest in an emergency that includes—

“(i) the information required for a notice under paragraph (4)(D); and

“(ii) a description of the problem and the factors that required the application of the pesticide to avoid a threat to the health or safety of a student or staff member.

“(C) METHOD OF NOTIFICATION.—The school may provide the notice required by paragraph (B) by any method of notification described in paragraph (4)(E).

“(D) POSTING OF SIGNS.—Immediately after the application of a pesticide under this part, a school shall post a notice of the pesticide application in accordance with clauses (i) through (ii) of paragraph (4)(D).

“(E) RELATIONSHIP TO STATE AND LOCAL REQUIREMENTS.—Nothing in this section (including regulations promulgated under this section) applies to a pest management activity that is conducted—

“(I) on or adjacent to a school; and

“(II) by, or at the direction of, a State or local agency other than a local educational agency.

“(e) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated such sums as are necessary to carry out this section.”

“(f) CONFORMING AMENDMENT.—The table of contents in section 1(b) of the Pesticide, Fungicide, and Rodenticide Act (7 U.S.C. prec. 121) is amended by striking the
items relating to sections 30 through 32 and inserting the following:

"Sec. 30. Minimum requirements for training of maintenance technicians and service technicians.

"Sec. 31. Environmental Protection Agency minor use program.

"Sec. 32. Department of Agriculture minor use program.

"(a) In general.

"(b)(1) Minor use pesticide data.

"(b)(2) Minor Use Pesticide Data Revolving Fund.

"Sec. 33. Pest management in schools.

"(a) Definitions.

"(1) Bat.

"(2) Contact person.

"(3) Emergency.

"(4) Local educational agency.

"(5) School.

"(6) Staff member.

"(7) State agency.

"(8) Universal notification.

"(b) School pest management plans.

"(1) State plans.

"(2) Implementation by local educational agencies.

"(3) Contact person.

"(4) Notification.

"(5) Emergencies.

"(c) Relationship to State and local requirements.

"(d) Exclusion of certain pest management activities.

"Sec. 34. Seclusion.

"Sec. 35. Authorization of appropriations.

"(d) Effective date.

"This section and the amendments made by this section take effect on October 1, 2001.

SA 2486. Mrs. MURRAY submitted an amendment intended to be proposed by her to the bill S. 1731, to strengthen the safety net for agricultural producers, to enhance resource conservation and rural development, to provide for farm credit, agricultural research, nutrition, and related programs, to ensure consumers abundant food and fiber, and for other purposes, which was ordered to lie on the table; as follows:

"In section 605, in the matter proposed to be added to section 601 of the Rural Electrification Act of 1936, insert after subsection (i) the following:

""(j) Grants for Planning and Feasibility Studies on Broadband Deployment.—

""(1) In general.—In addition to any other grants, loans, or loan guarantees made under this section, the Secretary shall make grants to eligible entities specified in paragraph (2) for planning and feasibility studies by such entities on the deployment of broadband services in the areas served by such entities.

""(2) Eligible entities.—The entities eligible for grants under this subsection are State agencies, consortia of local governments, tribal governments, telecommunications cooperatives, and appropriate State and regional non-profit entities (as determined by the Secretary).

""(3) Eligibility criteria.—The Secretary shall establish criteria for eligibility for grants under this subsection, including criteria for the degree of the planning and feasibility studies to be carried out with grants under this subsection.

""(4) Application.—An entity seeking a grant under this subsection shall submit to the Secretary an application for such grant. The application shall be in such form, and contain such information, as the Secretary shall require.

""(5) Use of grant amounts.—An entity receiving a grant under this section shall use the grant amount for planning and feasibility studies on the development of broadband services in the area of an Indian tribe, State, region of a State, or region of the States.

""(6) Limitation on grant amounts.—

""(A) Statewide grants.—The amount of the grants made under this subsection in or with respect to any region or tribal government in any fiscal year may not exceed $250,000.

""(B) Regional or tribal grants.—The amount of the grants made under this subsection in or with respect to any region or tribal government in any fiscal year may not exceed $100,000.

""(C) Funding.—(A) In general.—Of the amount available for grants, loans, and loan guarantees under this section in any fiscal year, up to $5,000,000 shall be available for grants under this subsection in such fiscal year.

""(B) Date of release.—The amount available under subparagraph (A) in a fiscal year for grants under this subsection may not be released under this subsection until after March 31 of the fiscal year.

""(D) Supplement not supplant.—Eligibility for a grant under this subsection shall not affect eligibility for a grant under another subsection of this section. The Secretary shall not take into account the award of a grant under this subsection, or the award of a loan, loan guarantee under another subsection of this section, in awarding a grant, loan, or loan guarantee under another subsection of this section, in awarding a grant, loan, or loan guarantee under this subsection or another subsection of this section, as the case may be.

SA 2487. Mr. STEVENS submitted an amendment intended to be proposed to amendment SA 2471 submitted by Mr. DASCHLE and intended to be proposed to the bill (S. 1731) to strengthen the safety net for agricultural producers, to enhance resource conservation and rural development, to provide for farm credit, agricultural research, nutrition, and related programs, to ensure consumers abundant food and fiber, and for other purposes; which was ordered to lie on the table; as follows:

"At the appropriate place, insert the following new section:

"SEC. 3. REPORT TO CONGRESS ON POUCHED AND CANNED SALMON.

"Not later than 120 days from the date of enactment of this Act, the Secretary shall issue a report to Congress on efforts to expand the promotion, marketing, and purchasing of pouched and canned salmon harvested and processed in the United States within the food and nutrition programs under his jurisdiction. The report shall include: an analysis of existing pouched and canned salmon inventories in the United States available for purchase; an analysis of the demand for pouched and canned salmon as well as for value-added products such as salmon ‘nuggets’ by the Department’s partners, including other appropriate Federal agencies, and consumers; a market assessment; a stimu-

SA 2489. Mr. STEVENS submitted an amendment intended to be proposed to amendment SA 2471 submitted by Mr. DASCHLE and intended to be proposed to the bill (S. 1731) to strengthen the safety net for agricultural producers, to enhance resource conservation and rural development, to provide for farm credit, agricultural research, nutrition, and related programs, to ensure consumers abundant food and fiber, and for other purposes; which was ordered to lie on the table; as follows:

"Amendment 2471 is amended—

(1) on page 932, by inserting after line 5 the following:

"(A) Wild fish.—The term ‘wild fish’ includes naturally-horned and hatchery-raised fish and shellfish harvested in the wild, including fillets, steaks, nuggets, and any other flesh from wild fish or shellfish, and durable purpose-net-pen aquacultured or other farm-raised fish;—

(2) on page 932, line 22 by inserting ‘(IV)’ after ‘(III)’—

(3) on page 932, by inserting after line 23 the following:
SEC. 142. DAIRY FARMERS PROGRAM.

(a) DEFINITIONS.—In this section:

(1) APPLICABLE FISCAL YEAR.—The term ‘‘applicable fiscal year’’ means each fiscal year beginning after fiscal year 2001.

(2) CLASS III MILK.—The term ‘‘Class III milk’’ means milk classified as Class III milk under section 8c of the Agricultural Adjustment Act of 1938.

(b) PAYMENTS.—In each applicable fiscal year, the Secretary shall make a payment to producers on a farm that, during the applicable fiscal year, produced milk for commercial sale, in the amount obtained by multiplying—

(1) the payment rate for the applicable fiscal year determined under subsection (c); by

(2) the payment quantity for the applicable fiscal year determined under subsection (d).

(c) PAYMENT RATE.—

(1) IN GENERAL.—The payment rate for a payment made to producers on a farm for the applicable fiscal year under subsection (b) shall be determined as follows:

If the average price received by producers in the United States for Class III milk during the preceding fiscal year was—

<table>
<thead>
<tr>
<th>Price Range</th>
<th>Payment Rate</th>
</tr>
</thead>
<tbody>
<tr>
<td>$10.50 or less</td>
<td>.30</td>
</tr>
<tr>
<td>$10.51 through $11.00</td>
<td>.42</td>
</tr>
<tr>
<td>$11.01 through $11.50</td>
<td>.50</td>
</tr>
<tr>
<td>$11.51 through $12.00</td>
<td>.62</td>
</tr>
<tr>
<td>$12.01 through $12.50</td>
<td>.74</td>
</tr>
<tr>
<td>$12.51 or more</td>
<td>.86</td>
</tr>
</tbody>
</table>

(d) PAYMENT QUANTITY.—

(1) IN GENERAL.—Subject to paragraph (2), the quantity of all milk for which the producers on a farm in the United States produced during the preceding fiscal year was (per hundredweight—

<table>
<thead>
<tr>
<th>Price Range</th>
<th>Payment Quantity</th>
</tr>
</thead>
<tbody>
<tr>
<td>$10.50 or less</td>
<td>.25</td>
</tr>
<tr>
<td>$10.51 through $11.00</td>
<td>.28</td>
</tr>
<tr>
<td>$11.01 through $11.50</td>
<td>.30</td>
</tr>
<tr>
<td>$11.51 through $12.00</td>
<td>.31</td>
</tr>
<tr>
<td>$12.01 through $12.50</td>
<td>.32</td>
</tr>
<tr>
<td>$12.51 or more</td>
<td>.34</td>
</tr>
</tbody>
</table>

SEC. 8. TRIBAL COOPERATIVE AND CONSERVATION PROGRAMS.

The Cooperative Forest Assistance Act of 1978 (16 U.S.C. 2101 et seq.) is amended by adding at the end the following:

SEC. 21. ASSISTANCE TO TRIBAL GOVERNMENTS.

(a) ALLOCATIONS.—In this section, the term ‘‘Indian tribe’’ has the meaning given the term in section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450a).

(b) ESTABLISHMENT.—The Secretary may provide financial, technical, educational and related assistance to Indian tribes for—

(1) tribal consultation and coordination with the Forest Service on issues relating to—

(A) tribal rights and interests on Forest Service land (including national forests and national grassland);

(B) coordinated or cooperative management of resources shared by the Forest Service and Indian tribes;

(C) provision of tribal traditional, cultural, or other expertise or knowledge;

(2) projects and activities for conservation education and awareness with respect to forest land under the jurisdiction of Indian tribes;

(3) technical assistance for forest resource planning, management, and conservation on land under the jurisdiction of Indian tribes; and

(4) the acquisition by Indian tribes, from willing sellers, of conservation interests (including conservation easements) in forest land and resources on land under the jurisdiction of the Indian tribes.

(c) IMPLEMENTATION.—

(1) IN GENERAL.—Not later than 18 months after the date of enactment of this section, the Secretary shall promulgate regulations to implement subsection (b) (including regulations for determining the distribution of assistance under that subsection).

(2) CONSULTATION.—In promulgating regulations under paragraph (1), the Secretary shall engage in full, open, and substantive consultation with Indian tribes and representatives of Indian tribes.

(3) COORDINATION WITH THE SECRETARY OF THE INTERIOR.—The Secretary shall coordinate with the Secretary of the Interior during the establishment, implementation, and administration of subsection (b) to ensure that programs under that subsection—

(1) do not conflict with tribal programs provided under the authority of the Department of the Interior; and

(2) meet the goals of the Indian tribes.

(d) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this section such sums as are necessary for fiscal year 2002 and each fiscal year thereafter.

TITLE IX—ENERGY

SA 2493. Mrs. MURRAY (for herself, Ms. CANTWELL, Mr. INOUYE, Mr. BAUCUS, Mr. WELLSTONE, and Mr. DASCHLE) submitted an amendment intended to be proposed to amendment SA 2471 submitted by Mr. DASCHLE and intended to be proposed to the bill S. 1731, to strengthen the safety net for agricultural producers, to enhance resource conservation and rural development, to provide for farm credit, agricultural research, nutrition, and related programs, to ensure consumers abundant food and fiber, and for other purposes; which was ordered to lie on the table; as follows:

On page 816, strike line 23 and insert the following:

"SEC. 8. TRIBAL COOPERATIVE AND CONSERVATION PROGRAMS.

The Cooperative Forest Assistance Act of 1978 (16 U.S.C. 2101 et seq.) is amended by adding at the end the following:

SEC. 21. ASSISTANCE TO TRIBAL GOVERNMENTS.

(a) ALLOCATIONS.—In this section, the term ‘‘Indian tribe’’ has the meaning given the term in section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450a).

(b) ESTABLISHMENT.—The Secretary may provide financial, technical, educational and related assistance to Indian tribes for—

(1) tribal consultation and coordination with the Forest Service on issues relating to—

(A) tribal rights and interests on Forest Service land (including national forests and national grassland);

(B) coordinated or cooperative management of resources shared by the Forest Service and Indian tribes;

(C) provision of tribal traditional, cultural, or other expertise or knowledge;

(2) projects and activities for conservation education and awareness with respect to forest land under the jurisdiction of Indian tribes;

(3) technical assistance for forest resource planning, management, and conservation on land under the jurisdiction of Indian tribes; and

(4) the acquisition by Indian tribes, from willing sellers, of conservation interests (including conservation easements) in forest land and resources on land under the jurisdiction of the Indian tribes.

(c) IMPLEMENTATION.—

(1) IN GENERAL.—Not later than 18 months after the date of enactment of this section, the Secretary shall promulgate regulations to implement subsection (b) (including regulations for determining the distribution of assistance under that subsection).

(2) CONSULTATION.—In promulgating regulations under paragraph (1), the Secretary shall engage in full, open, and substantive consultation with Indian tribes and representatives of Indian tribes.

(3) COORDINATION WITH THE SECRETARY OF THE INTERIOR.—The Secretary shall coordinate with the Secretary of the Interior during the establishment, implementation, and administration of subsection (b) to ensure that programs under that subsection—

(1) do not conflict with tribal programs provided under the authority of the Department of the Interior; and

(2) meet the goals of the Indian tribes.

(d) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this section such sums as are necessary for fiscal year 2002 and each fiscal year thereafter."
conservation and rural development, to provide for farm credit, agricultural research, nutrition, and related programs, to ensure consumers abundant food and fiber, and for other purposes; which was ordered to lie on the table; as follows:

On page 945, line 5, strike the period at the end and insert a period and the following:

SEC. 1024. IMPROVED STANDARDS FOR THE CARE AND TREATMENT OF CERTAIN ANIMALS.

(a) SOCIALIZATION PLAN; BREEDING RESTRICTIONS. — Section 13(a)(2) of the Animal Welfare Act (7 U.S.C. 2143(a)(2)) is amended —

(1) in subparagraph (A), by striking "and" at the end;

(2) in subparagraph (B), by striking the period at the end and inserting a semicolon; and

(3) by adding at the end the following:

"(c) SOCIALIZATION OF DOGS WITH OTHER DOGS AND PEOPLE, THROUGH COMPLIANCE WITH A STANDARD DEVELOPED BY THE SECRETARY BASED ON THE RECOMMENDATIONS OF ANIMAL WELFARE AND BEHAVIOR EXPERTS, INCLUDING —"

(i) prescribes a schedule of activities and other requirements that dealers and inspectors shall use to ensure adequate socialization;

(ii) identifies a set of behavioral measures that inspectors shall use to evaluate adequate socialization; and

(iii) addressing the initiation and frequency of breeding of female dogs so that a female dog is not —"

(i) bred before the female dog has reached at least 1 year of age; and

(ii) whelped more frequently than 3 times in any 24-month period.

(b) SUSPENSION OR REVOCATION OF LICENSE, CIVIL PENALTIES, JUDICIAL REVIEW, AND CRIMINAL PENALTIES. — Section 19 of the Animal Welfare Act (7 U.S.C. 2149) is amended —

(1) by striking "Sec. 19. (a) If the Secretary determines that 1 or more violations have occurred;" and

(B) by adding at the end the following:

"(2) MANDATORY REVOCATION. — If the Secretary has reason to believe that any person licensed as a dealer, exhibitor, or operator of an auction sale subject to section 12, has violated any of the rules, regulations, or standards governing the humane handling, transportation, veterinary care, housing, breeding, socialization, feeding, watering, or other humane treatment of animals under section 12 or 13 on 3 or more separate inspections within any 8-year period, the Secretary shall immediately suspend the license of the person for 21 days and, after providing notice and a hearing not more than 30 days after the third violation noted on an inspection report, shall revoke the license of the person unless the Secretary makes a written finding that the violations were minor and inadvertent, that the violations did not pose a threat to the dogs, or that revocation is inappropriate for other good cause.

(3) in subsection (b), by striking "(b) Any dealer and inserting "(c) Any dealer" and inserting "(c) Judicial Review." —Any dealer; and
SA 2497. Mr. SMITH of Oregon submitted an amendment intended to be proposed to amendment SA 2471 submitted by Mr. DASCHLE and intended to be proposed to the bill (S. 1731) to strengthen the safety net for agricultural producers, to enhance resource conservation and rural development, to provide for farm credit, agricultural research, search, nutrition, and related programs, to ensure consumers abundant food and fiber, and for other purposes; which was ordered to lie on the table; as follows:

On page 322 on line 3, strike “Force,” and insert in lieu thereof “Force, in conjunction with the Secretary of the Interior:

At the end of Section 262(b)(2)(I), strike “and”.

At the end of Section 262(b)(2)(J), strike “Survey,” and insert the following: “Survey;”

(“K) the Secretary of the Interior;

(‘L) The Secretary of Commerce; and

(M) the Secretary of Agriculture."

In Section 262(b)(8), following “for the purposes—”, insert “(A) sustaining and strengthening a healthy agricultural economy in the Klamath Basin;” and reletter the subsequent phrases accordingly.

SA 2498. Mr. SMITH of Oregon submitted an amendment intended to be proposed to amendment SA 2471 submitted by Mr. DASCHLE and intended to be proposed to the bill (S. 1731) to strengthen the safety net for agricultural producers, to enhance resource conservation and rural development, to provide for farm credit, agricultural research, search, nutrition, and related programs, to ensure consumers abundant food and fiber, and for other purposes; which was ordered to lie on the table; as follows:

On page 258, strike lines 10 through 16, inclusive.

SA 2499. Mr. BYRD submitted an amendment intended to be proposed to amendment SA 2471 submitted by Mr. DASCHLE and intended to be proposed to the bill (S. 1731) to strengthen the safety net for agricultural producers, to enhance resource conservation and rural development, to provide for farm credit, agricultural research, search, nutrition, and related programs, to ensure consumers abundant food and fiber, and for other purposes; which was ordered to lie on the table; as follows:

At the end of the amendment, add the following:

SEC. 1. COMMODITY CREDIT CORPORATION FUNDING.

Notwithstanding any other provision of this Act or any amendment made by this Act, any funds that would otherwise be made available through the transfer of funds from the Secretary of the Treasury to the Secretary of Agriculture under this Act or an amendment made by this Act (other than funds made available through a user fee) shall be available through funds of the Commodity Credit Corporation.

SA 2500. Mrs. FEINSTEIN submitted an amendment intended to be proposed to amendment SA 2471 submitted by Mr. DASCHLE and intended to be proposed to the bill (S. 1731) to strengthen the safety net for agricultural producers, to enhance resource conservation and rural development, to provide for farm credit, agricultural research, nutrition, and related programs, to ensure consumers abundant food and fiber, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in subtitle B of title X, insert the following:

SEC. 10. ADJUSTED GROSS INCOME CROP INSURANCE PILOT PROGRAM.

The Federal Crop Insurance Corporation shall—

(1) convert the adjusted gross income crop insurance pilot program under section 523(a) of the Federal Crop Insurance Act (7 U.S.C. 1923(a)) to a permanent program of insurance; and

(2) extend the program to the State of California beginning with crop year 2003.

SA 2501. Mrs. FEINSTEIN submitted an amendment intended to be proposed to amendment SA 2471 submitted by Mr. DASCHLE and intended to be proposed to the bill (S. 1731) to strengthen the safety net for agricultural producers, to enhance resource conservation and rural development, to provide for farm credit, agricultural research, search, nutrition, and related programs, to ensure consumers abundant food and fiber, and for other purposes; which was ordered to lie on the table; as follows:

On page 629, lines 19 and 20, strike “that is located in a rural area”.

SA 2502. Mr. DOMENICI (for himself, Mr. CRAIG, Mr. BURNS, Mr. CRAPO, Mrs. HUTCHISON, Mr. ENZI, Mr. THOMAS, Mr. KYL, Mr. SMITH of Oregon, Mr. HATCH, Mr. ALLARD, and Mr. CAMPBELL) proposed an amendment to amendment SA 2471 submitted by Mr. DASCHLE and intended to be proposed to the bill (S. 1731) to strengthen the safety net for agricultural producers, to enhance resource conservation and rural development, to provide for farm credit, agricultural research, nutrition, and related programs, to ensure consumers abundant food and fiber, and for other purposes; which was ordered to lie on the table; as follows:

On page 202, strike lines 14 through 22 and insert the following:

For purposes of sub-

SEC. 2. PLANNING AND TRAINING GRANTS.

This Act may be cited as the “Post Terrorism Mental Health Improvement Act”.

SEC. 3. GRANTS TO DIRECTLY AFFECTED AREAS TO ADDRESS LONG-TERM NEEDS.

(a) In General. — The Secretary of Health and Human Services (referred to in this section as the “Secretary”) shall award grants to eligible State and local governments and other public entities to enable such entities to respond to the long-term mental health needs arising from the terrorist attacks of September 11, 2001.

(b) Eligibility. — To be eligible to receive a grant under subsection (a) an entity shall—

(1) be a State or local government or other public entity that is located in an area that was directly affected by the Secretary by the terrorist attacks of September 11, 2001; and

(2) prepare and submit to the Secretary an application at such time, in such manner, and containing such information as the Secretary may require.

Mr. REID (for Mr. KENNEDY of Massachusetts) submitted an amendment intended to be proposed to the bill (S. 1731) to strengthen the safety net for agricultural producers, to enhance resource conservation and rural development, to provide for farm credit, agricultural research, nutrition, and related programs, to ensure consumers abundant food and fiber, and for other purposes; which was ordered to lie on the table; as follows:

On page 630, lines 19 and 20, strike “that is located in a rural area”.

Mr. SMITH of Oregon submitted an amendment intended to be proposed to amendment SA 2471 submitted by Mr. DASCHLE and intended to be proposed to the bill (S. 1731) to strengthen the safety net for agricultural producers, to enhance resource conservation and rural development, to provide for farm credit, agricultural research, nutrition, and related programs, to ensure consumers abundant food and fiber, and for other purposes; which was ordered to lie on the table; as follows:

On page 322 on line 3, strike “Force,” and insert in lieu thereof “Force, in conjunction with the Secretary of the Interior:

At the end of Section 262(b)(2)(I), strike “and”.

At the end of Section 262(b)(2)(J), strike “Survey,” and insert the following: “Survey;”

(“K) the Secretary of the Interior;

(‘L) The Secretary of Commerce; and

(M) the Secretary of Agriculture."

In Section 262(b)(8), following “for the purposes—”, insert “(A) sustaining and strengthening a healthy agricultural economy in the Klamath Basin;” and reletter the subsequent phrases accordingly.

Mr. SMITH of Oregon submitted an amendment intended to be proposed to amendment SA 2471 submitted by Mr. DASCHLE and intended to be proposed to the bill (S. 1731) to strengthen the safety net for agricultural producers, to enhance resource conservation and rural development, to provide for farm credit, agricultural research, search, nutrition, and related programs, to ensure consumers abundant food and fiber, and for other purposes; which was ordered to lie on the table; as follows:

On page 258, strike lines 10 through 16, inclusive.

Mr. BYRD submitted an amendment intended to be proposed to amendment SA 2471 submitted by Mr. DASCHLE and intended to be proposed to the bill (S. 1731) to strengthen the safety net for agricultural producers, to enhance resource conservation and rural development, to provide for farm credit, agricultural research, search, nutrition, and related programs, to ensure consumers abundant food and fiber, and for other purposes; which was ordered to lie on the table; as follows:

At the end of the amendment, add the following:

SEC. 1. COMMODITY CREDIT CORPORATION FUNDING.

Notwithstanding any other provision of this Act or an amendment made by this Act, any funds that would otherwise be made available through the transfer of funds from the Secretary of the Treasury to the Secretary of Agriculture shall promulgate such regulations as are necessary to carry out the amendments made by this Act, including development of the standards required by the amendment made by subsection (a).

Mr. SMITH of Oregon submitted an amendment intended to be proposed to amendment SA 2471 submitted by Mr. DASCHLE and intended to be proposed to the bill (S. 1731) to strengthen the safety net for agricultural producers, to enhance resource conservation and rural development, to provide for farm credit, agricultural research, search, nutrition, and related programs, to ensure consumers abundant food and fiber, and for other purposes; which was ordered to lie on the table; as follows:

On page 322 on line 3, strike “Force,” and insert in lieu thereof “Force, in conjunction with the Secretary of the Interior:

At the end of Section 262(b)(2)(I), strike “and”.

At the end of Section 262(b)(2)(J), strike “Survey,” and insert the following: “Survey;”

(“K) the Secretary of the Interior;

(‘L) The Secretary of Commerce; and

(M) the Secretary of Agriculture."

In Section 262(b)(8), following “for the purposes—”, insert “(A) sustaining and strengthening a healthy agricultural economy in the Klamath Basin;” and reletter the subsequent phrases accordingly.

Mr. SMITH of Oregon submitted an amendment intended to be proposed to amendment SA 2471 submitted by Mr. DASCHLE and intended to be proposed to the bill (S. 1731) to strengthen the safety net for agricultural producers, to enhance resource conservation and rural development, to provide for farm credit, agricultural research, search, nutrition, and related programs, to ensure consumers abundant food and fiber, and for other purposes; which was ordered to lie on the table; as follows:

On page 258, strike lines 10 through 16, inclusive.
Protection Act of 1973 (7 U.S.C. 612c; note; Public Law 93-86) so that the guidelines are the same as the income guidelines for participation by mothers, infants, and children in the program.

**SEC. 461. EFFECTIVE DATE.**

**SA 2505.** Mr. LEVIN submitted an amendment intended to be proposed to amendment SA 2471 submitted by Mr. Daschle and intended to be proposed to the bill (S. 1731) to strengthen the safety net for agricultural producers, to enhance resource conservation and rural development, to provide for farm credit, agricultural research, nutrition, and related programs, to ensure consumers abundant food and fiber, and for other purposes; which was ordered to lie on the table; as follows:

On page 382, strike line 15 and insert the following:

**SEC. 327. FARMERS FOR AFRICA AND CARIBBEAN BASIN PROGRAM.**

(a) FINDINGS.—Congress finds that—

(1) many farmers in Africa and the Caribbean Basin use antiquated techniques to produce crops resulting in poor crop quality and low crop yields;

(2) many of those farmers are losing business to farmers in Asia who use advanced planting and production techniques and are supplying agricultural produce to restaurants, resorts, tourists, grocery stores, and other consumers in Africa and the Caribbean Basin;

(3) a need exists for the training of farmers in Africa and the Caribbean Basin and other developing countries in farming techniques that are appropriate for the majority of eligible farmers in Africa or the Caribbean Basin, including—

(A) standard growing practices;

(B) insecticide and sanitation procedures; and

(C) other farming methods that will produce increased yields of more nutritious and healthful crops;

(4) African-American and other American farmers and banking and insurance professionals are a resource of farming expertise that would be invaluable for farmers in Africa and the Caribbean Basin;

(5) it is appropriate for the United States to make a commitment to support the development of a comprehensive agricultural skills training program for farmers in Africa and the Caribbean Basin that focuses on—

(A) improving the knowledge of insecticide and sanitation procedures to prevent crop destruction;

(B) teaching modern farming techniques that would facilitate a continual analysis of crop production, including—

(i) the identification and development of standard growing practices; and

(ii) the establishment of systems for recordkeeping;

(C) the use and maintenance of farming equipment that is appropriate for the majority of eligible farmers in Africa and the Caribbean Basin;

(D) expanding small farming operations into agribusiness enterprises through the development and use of village banking systems and the use of agricultural risk insurance pilot programs, resulting in increased access to credit for the farmers; and

(E) marketing crop yields to prospective purchasers for local needs and export;

(6) the participation of African-American and other American farmers and American agribusiness enterprises in such a training program promises the added benefit of improving—

(A) market access in African and Caribbean Basin markets for African agricultural commodities and farm equipment; and

(B) business linkages for American insurers and providers offering technical assistance on agricultural risk insurance and other matters; and

(7)(A) programs that provide the exchange of agricultural knowledge and expertise through the exchange of American and foreign farmers have been effective in promoting improved agricultural techniques abroad; and

(B) accordingly, the extension of additional resources to such farmer-to-farmer exchanges is warranted.

(b) DEFINITIONS.—In this section:

(1) AGRICULTURAL FARMING SPECIALIST.—

The term “agricultural farming specialist” means an individual trained to transfer information and technical support relating to—

(A) agribusiness;

(B) food security;

(C) mitigation and alleviation of hunger;

(D) mitigation of agricultural risk;

(E) maximization of crop yields;

(F) agricultural trade; and

(G) other needs specific to a geographical area, as determined by the President.

(2) CARIBBEAN BASIN COUNTRY.—


(3) ELIGIBLE FARMER.—The term “eligible farmer” means an individual who owns or works on farm land (as defined by the law of the country in which the land is situated) in—

(A) the sub-Saharan region of Africa;

(B) a Caribbean Basin country; or

(C) any other developing country in which the President determines there is a need for farming expertise or for information or technical support described in paragraph (1).

(4) ELIGIBLE ENTITY.—The term “eligible entity” means—

(A) a college or university (including a historically black college or university) or a foundation maintained by a college or university; and

(B) a private organization (including a grassroots organization) or corporation with a demonstrated capacity to carry out a bilateral exchange program described in subsection (c).

(5) PROGRAM.—The term “program” means the Farmers for Africa and Caribbean Basin Program established under subsection (c).

(6) ESTABLISHMENT OF PROGRAM.—The President shall establish a grant program, to be known as the “Farmers for Africa and Caribbean Basin Program”, to assist eligible entities in carrying out bilateral exchange programs under which African-American and other American farmers and agricultural specialists share technical knowledge with eligible farmers regarding—

(1) maximization of crop yields;

(2) use of agricultural risk insurance as a financial tool and a means of risk management (as allowed by Annex II of the World Trade Organization rules);

(3) expansion of trade in agricultural products;

(4) enhancement of local food security;

(5) mitigation and alleviation of hunger;

(6) marketing of agricultural products in local, regional, and international markets; and

(7) other means of improving farming by eligible farmers.

(7) GOAL.—The goal of the program shall be to assist at least 1,000 farmers participating in the training program by December 31, 2005, of whom—

(c) USE OF FUNDS.—A grantee shall use amounts received under a grant under subsection (a)—

(1) to carry out activities to locate individuals who may be affected by the terrorist attacks of September 11, 2001 and in need of mental health services;

(2) to provide treatment for those individuals identified under paragraph (1) who are suffering from a serious psychiatric illness as a result of such terrorist attack, including paying the costs of necessary medications; and

(3) to carry out other activities determined appropriate by the Secretary.

(d) SUPPLEMENT NOT SUPPLANT.—Amounts expended under paragraphs (1) and (2) shall be used to supplement and not supplant amounts otherwise made available for such treatments (including medications) under any other Federal, State, or local program or under any health insurance coverage.

(e) USE OF PRIVATE ENTITIES AND EXISTING PROVIDERS.—To the extent appropriate, a grantee under subsection (a) shall—

(1) enter into contracts with private, nonprofit agencies to carry out activities under the grant; and

(2) to the extent feasible, utilize providers that are already serving the affected population with providers used by public safety officials.

(f) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section such sums as may be necessary in each of fiscal years 2002 through 2005.

**SEC. 4. RESEARCH.**

Part A of title II of the Public Health Service Act (42 U.S.C. 200 et seq.) is amended by adding at the end the following:

**SEC. 229. RESEARCH.**

Notwithstanding any other provision of law, the Secretary may waive any restriction on the amount of supplemental funding that may be provided to any disaster-related scientific research project that is funded by the Secretary.}

**SEC. 5. CHILDREN WHO EXPERIENCE VIOLENCE-RELATED STRESS.**

(a) IN GENERAL.—Section 582(f) of the Public Health Service Act (42 U.S.C. 290hh-1(f)) is amended by striking “2002 and 2003” and inserting “2002 through 2005”.

(b) ESTABLISHMENT OF PROGRAM.—It is the sense of Congress that the program established under section 582 of the Public Health Service Act (42 U.S.C. 290hh-1) should be fully funded.

**SA 2504.** Mr. LEVIN submitted an amendment intended to be proposed to amendment SA 2471 submitted by Mr. Daschle and intended to be proposed to the bill (S. 1731) to strengthen the safety net for agricultural producers, to enhance resource conservation and rural development, to provide for farm credit, agricultural research, nutrition, and related programs, to ensure consumers abundant food and fiber, and for other purposes; which was ordered to lie on the table; as follows:

On page 479, strike line 7 and insert the following:

**SEC. 460. SENSE OF CONGRESS REGARDING ELIGIBLE ENTITIES TO PARTICIPATE IN THE COMMODITY SUPPLEMENTAL FOOD PROGRAM.**

It is the sense of Congress that the Secretary of Agriculture should restore to 185 percent of the poverty line the elderly income eligibility for participation in the commodity supplemental food program under section 5 of the Agriculture and Consumer
(1) 80 percent of the number of participating farmers should be eligible farmers in developing countries; and
(2) 20 percent of the number of participating farmers be American farmers.
(e) TRAINING.—Under the program—
(1) training shall be provided to eligible farmers in groups to ensure that information is shared and passed on to other eligible farmers; and
(2) eligible farmers shall be trained to be specialists in their home communities and encourage them to retain enhanced farming technology for their own personal enrichment.
(f) USE OF COMMERCIAL AND INDUSTRIAL CAPABILITIES.—Through partnerships with American businesses in the agricultural sector, the program shall use the commercial and industrial capabilities of the businesses to—
(1) train eligible farmers on farming equipment that is appropriate for the majority of eligible farmers in their home countries; and
(2) introduce eligible farmers to the use of insurance as a risk management tool.
(g) SELECTION OF PARTICIPANTS.—
(1) To participate in the program, an eligible farmer or African-American farmer or agricultural farming enterprise that is appropriate for the majority of American businesses in the agricultural sector, the program shall use the commercial and industrial capabilities of the businesses to—
(1) train eligible farmers on farming equipment that is appropriate for the majority of eligible farmers in their home countries; and
(2) introduce eligible farmers to the use of insurance as a risk management tool.
(h) QUALIFICATIONS OF AMERICAN PARTICIPANTS.—To participate in the program, an American farmer or agricultural farming specialist—
(1) have sufficient farm or agribusiness experience, as determined by the President; and
(2) shall have obtained certain targets, specified by the President, regarding the productivity of the farm or business of the American farmer or agricultural farming specialist.
(i) GRANT PERIOD.—Under the program, the President may make grants for a period of 5 years beginning on October 1 of the first fiscal year for which funds are made available to carry out the program.

SEC. 10. LIMITATION ON EXHIBITION OF POLAR BEARS.

The Animal Welfare Act is amended by inserting after section 17 (7 U.S.C. 2147) the following:

"SEC. 18. LIMITATION ON EXHIBITION OF POLAR BEARS.

"(1) An exhibitor that is a carnival, circus, or traveling show (as determined by the Secretary) shall not exhibit polar bears."

SEC. 20. LIMITATION ON EXHIBITION OF POLAR BEARS.

Mr. GRAMM submitted an amendment intended to be proposed by him to the bill S. 1731, to strengthen the safety net for agricultural producers, to enhance resource conservation and rural development, to provide for farm credit, agricultural research, nutrition, and related programs, to ensure consumers abundant food and fiber, and for other purposes; which was ordered to lie on the table; as follows:

SEC. 21. LIMITATION ON EXHIBITION OF POLAR BEARS.

Mr. GRAMM submitted an amendment intended to be proposed by him to the bill S. 1731, to strengthen the safety net for agricultural producers, to enhance resource conservation and rural development, to provide for farm credit, agricultural research, nutrition, and related programs, to ensure consumers abundant food and fiber, and for other purposes; which was ordered to lie on the table; as follows:

SEC. 22. LIMITATION ON EXHIBITION OF POLAR BEARS.

Mr. GRAMM submitted an amendment intended to be proposed by him to the bill S. 1731, to strengthen the safety net for agricultural producers, to enhance resource conservation and rural development, to provide for farm credit, agricultural research, nutrition, and related programs, to ensure consumers abundant food and fiber, and for other purposes; which was ordered to lie on the table; as follows:

SEC. 23. LIMITATION ON EXHIBITION OF POLAR BEARS.

Mr. GRAMM submitted an amendment intended to be proposed by him to the bill S. 1731, to strengthen the safety net for agricultural producers, to enhance resource conservation and rural development, to provide for farm credit, agricultural research, nutrition, and related programs, to ensure consumers abundant food and fiber, and for other purposes; which was ordered to lie on the table; as follows:

SEC. 24. LIMITATION ON EXHIBITION OF POLAR BEARS.

Mr. GRAMM submitted an amendment intended to be proposed by him to the bill S. 1731, to strengthen the safety net for agricultural producers, to enhance resource conservation and rural development, to provide for farm credit, agricultural research, nutrition, and related programs, to ensure consumers abundant food and fiber, and for other purposes; which was ordered to lie on the table; as follows:

SEC. 25. LIMITATION ON EXHIBITION OF POLAR BEARS.

Mr. GRAMM submitted an amendment intended to be proposed by him to the bill S. 1731, to strengthen the safety net for agricultural producers, to enhance resource conservation and rural development, to provide for farm credit, agricultural research, nutrition, and related programs, to ensure consumers abundant food and fiber, and for other purposes; which was ordered to lie on the table; as follows:
of Assistant Secretary of Agriculture for Civil Rights under section 216(f)."

SA 2512. Mr. CRAIG (for himself and Mr. GREGG) proposed an amendment to amendment SA 2511 submitted by Mr. DASCHLE and intended to be proposed to the amendment SA 2471 proposed by Mr. DASCHLE to the bill (S. 1731) to strengthen the safety net for agricultural producers, to enhance resource conservation and rural development, to provide for farm credit, agricultural research, nutrition, and related programs, to ensure consumers abundant food and fiber, and for other purposes; as follows:

At the appropriate place, add the following:

SEC. 10. SENSE OF THE SENATE. It is the sense of the Senate that, before Congress creates new positions that require the advice and consent of the Senate, such as the position of Assistant Secretary for Civil Rights of the Department of Agriculture, the Senate should vote on nominations that have been reported by committees and are currently awaiting action by the full Senate, such as the nomination of Eugene Scalia to be Solicitor of the Department of Labor.

SA 2513. Mr. BOND (for himself, Mr. GRASSLEY, Mr. ENZI, and Mr. MILLER) proposed an amendment to amendment SA 2471 submitted by Mr. DASCHLE and intended to be proposed to the bill (S. 1731) to strengthen the safety net for agricultural producers, to enhance resource conservation and rural development, to provide for farm credit, agricultural research, nutrition, and related programs, to ensure consumers abundant food and fiber, and for other purposes; as follows:

Strike the period at the end of section 1034 and insert a period and the following:

SEC. 1035. REVIEW OF FEDERAL AGENCY ACTIONS AFFECTING AGRICULTURAL PRODUCERS.

(a) DEFINITIONS.—In this section:

(1) AGENCY ACTION.—The term ‘agency action’ means the head of a Federal agency.

(2) AGENCY HEAD.—The term ‘agency head’ means the head of a Federal agency.

(3) PRODUCER.—The term ‘agricultural producer’ means the owner or operator of a small or medium-sized farm or ranch.

(4) SECRETARY.—The term ‘Secretary’ means the Secretary of Agriculture.

(b) REVIEW OF AGENCY ACTION BY SECRETARY. (1) IN GENERAL.—The Secretary may review any agency action proposed by any Federal agency to determine whether the agency action will have a significant adverse economic impact on, or jeopardize the personal safety of, agricultural producers, to enhance resource conservation and rural development, to provide for farm credit, agricultural research, nutrition, and related programs, to ensure consumers abundant food and fiber, and for other purposes; as follows:

Start the period at the end of section 1034 and insert the following:

SEC. 10. CROP INSURANCE AND NONINSURED CROP DISASTER ASSISTANCE PROGRAM. (a) 7. U.S.C. 7333, as amended by P.L. 104–127, is amended—

(1) in Section (a)(3) by inserting ‘or’ after the semi-colon;
(2) redesignate clause (ii) as clause (iii);
(3) insert after clause (i) the following:

‘‘(ii) for individuals who graduated from a secondary school or received the recognized equivalent of a secondary school diploma before January 1, 1998, and are currently enrolled at an eligible institution as of the date of enactment of the District of Columbia College Access and Student Loan Act of 2001;’’;

(4) in Section (c)(3) by striking ‘‘or other’’ and inserting ‘‘or other’’.

SA 2514. Mr. SMITH of Oregon submitted an amendment intended to be proposed to amendment SA 2471 submitted by Mr. DASCHLE and intended to be proposed to the bill (S. 1731) to strengthen the safety net for agricultural producers, to enhance resource conservation and rural development, to provide for farm credit, agricultural research, nutrition, and related programs, to ensure consumers abundant food and fiber, and for other purposes; as follows:

On page 937, between lines 16 and 17, insert the following:

SEC. 10 . CROP INSURANCE AND NONINSURED CROP DISASTER ASSISTANCE PROGRAM.

(a) 7. U.S.C. 7333, as amended by P.L. 104–127, is amended—

(1) in Section (a)(3) by striking ‘‘or’’ and inserting ‘‘or other’’;
(2) redesignate clause (ii) as clause (iii);
(3) insert after clause (i) the following:

‘‘(ii) for individuals who graduated from a secondary school or received the recognized equivalent of a secondary school diploma before January 1, 1998, and are currently enrolled at an eligible institution as of the date of enactment of the District of Columbia College Access and Student Loan Act of 2001;’’.

SA 2515. Mr. REID (for Mr. LIEBERMAN) proposed an amendment to the bill H.R. 1499. An act to amend the District of Columbia College Access Act of 1999 to permit individuals who enroll in an institution of higher education more than 3 years after graduating from a secondary school and individuals who attend private historically black colleges and universities nationwide to participate in the tuition assistance programs under such Act, and for other purposes; as follows:

In subparagraph (A) of section 3(c)(2) of the District of Columbia College Access Act of 1999, as amended—

(1) in clause (i), strike ‘‘or’’ after the semi-colon;
(2) redesignate clause (ii) as clause (iii); and
(3) insert after clause (i) the following:

‘‘(ii) for individuals who graduated from a secondary school or received the recognized equivalent of a secondary school diploma before January 1, 1998, and are currently enrolled at an eligible institution as of the date of enactment of the District of Columbia College Access and Student Loan Act of 2001;’’.

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON FOREIGN RELATIONS

Mr. REID. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on Wednesday, December 12, 2001, at 2:30 p.m. to hold a business meeting.

Agenda

The committee will consider and vote on the following agenda:

Legislation

S. 1779, A bill to authorize Radio Free Afghanistan.


S. Con. Res. 86, A concurrent resolution expressing the sense of Congress
that women from all ethnic groups in Afghanistan should participate in the economic and political reconstruction of Afghanistan.

H. Con. Res. 77. A concurrent resolution expressing the sense of the Congress regarding the efforts of the people of the United States of Korean ancestry to reunite with their family members in North Korea.

H. Con. Res. 211. A concurrent resolution commending Daw Aung San Suu Kyi and the anniversary of her receiving the Nobel Peace Prize and expressing the sense of the Congress with respect to the Government of Burma.

Nominations:

Jorge L. Arreizurieta, of Florida, to be United States Alternate Executive Director of the Inter-American Development Bank.

William R. Brownfield, of Texas, to be Ambassador to the Republic of Chile.

Arthur E. Dewey, of Maryland, to be Assistant Secretary of State (Population, Refugees, and Migration).

Adolfo Franco, of Virginia, to be an Assistant Administrator (Latin America and the Caribbean) of the United States Agency for International Development.

John V. Hanford, III, of Virginia, to be Ambassador to the Federative Republic of Brazil.

James McGee, of Florida, to be Ambassador to the Kingdom of Swaziland.

Kenneth P. Moorefield, of Florida, to be Ambassador to Gabon.

Donna Brink, of Virginia, to be Ambassador to the Gabonese Republic and to serve concurrently and without additional compensation as Ambassador to the Democratic Republic of Sao Tome and Principe.

Joseph K. Allen, of Maryland, to be Deputy Director of the Peace Corps.

John D. Ong, of Ohio, to be Ambassador to Norway.

Earl Phillips, Jr., of North Carolina, to be Ambassador to Barbados, and to serve concurrently and without additional compensation as Ambassador to St. Kitts and Nevis, Saint Lucia, Antigua and Barbuda, the Commonwealth of Dominica, Grenada, and Saint Vincent and the Grenadines.

Frederick Schiek, of Virginia, to be Deputy Administrator of the United States Agency for International Development.

Charles S. Shapiro, of Georgia, to be Ambassador to the Bolivarian Republic of Venezuela.

Gaddi V. Vasquez, of California, to be Director of the Peace Corps.

Roger Winter, of Maryland, to be an Assistant Administrator (Democracy, Conflict and Humanitarian Assistance) of the United States Agency for International Development.

Additional nominees to be announced.

Foreign Service Officer Promotion List

Mr. Dobbins, et al., dated October 16, 2001. (With the exception of James Dobbins)
Companies have undertaken over 400 pediatric studies, of which over 58 studies have been completed, for a wide range of critical diseases, including juvenile diabetes, the problem of pain, asthma, and hypertension.

These studies have generated an incentive to do the research, reinvigorating pediatric studies performed pursuant to our law have shown inadequate dosing for adolescents, which resulted in ineffective treatment. The studies also have shown that some girls between the ages of eight and 11 were potentially overdosed, with levels up to two to three times that which was really needed.

Our Better Pharmaceuticals law has done a great deal of good. We are seeing more drugs for children on the market that have a label that tells how they should be used and more basic information for pediatricians. So when they look at that little child and they know the age of that child and they know the weight of that child, doctors can look it up and see exactly what the prescription should be, what the indicators are for that child. They can do that because we have given the pharmaceutical companies an incentive to do the research, reexamine why they were doing in only 20 percent of prior to passage of the Better Pharmaceuticals law.

Despite our progress, we have further to go. That’s why we passed the Best Pharmaceuticals conference report today. Senator Dodd and I and the other cosponsors knew that the Better Pharmaceuticals bill, could be improved. We knew that it had some holes in it. We set out to fill these gaps and address the outstanding issues, such as the testing of off-patent drugs, which the original law was never designed to include.

In the conference report we passed today, we have built upon the existing law’s basic incentive structure to further ensure that we will help improve the medication labeling process. Since our law has not been implemented for very long, many labels are still in the process of being requested and negotiated by the FDA. In our legislation, the new timeframes established for labeling changes, together with the enforcement authority under the existing misbranding statute, will help ensure that essential pediatric information generated from studies implemented under this law, will result in necessary and timely labeling changes. Tested for children!

Our legislation creates a mechanism to “capture” the off-patent drugs for which the Secretary determines additional studies are needed to assess the safety and effectiveness of the drug’s use in the pediatric population. In other words, our bill provides for the testing of some cases of these off-patent drugs.

By expanding the mission of the existing NIH Foundation to include collecting and awarding grants for conducting certain pediatric studies, we have provided a funding mechanism for ensuring studies that are completed for both off-patent drugs and those marketed off-patent drugs that a company declines to study—and for which the Secretary determines there is a continuing need for information relating to the use of the drug in the pediatric population.

By first seeking funding through the Foundation, we provide a mechanism for drug companies to contribute to the funding of mainly off-patent drugs and also to a narrow group of on-patent drugs, including those for neonates, for which companies have declined to accept the written request to pursue the six month market exclusivity extension.

Finally, to further ensure that the safety of children in clinical trials is protected, the conference report provides that the Institute of Medicine, IOM, conduct a review of Federal regulations, reports, and research involving children and provide recommendations on best practices relating to research Senator Dodd and I included as part of the Children’s Health Act last year.

In conclusion, I again thank Senator Dodd for his efforts, along with Senators Frist, Kennedy, Bond, Collins, and Clinton. Their support and dedication to children is what is behind this legislation. Sometime today, we are sending this conference report to the President for his signature. I thank them for their work and their commitment to children.

Mr. REID. Madam President, I ask unanimous consent that the bill be read three times, passed, the motion to reconsider be laid upon the table, and any statements relating thereto be printed in the Record, with no intervening action or debate.

The bill S. 1789, the Pediatric Drug Safety and Access Act, Without objection, it is so ordered.

The bill (S. 1789) was read the third time and passed, as follows:

S. 1789
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 “Better Pharmaceuticals for Children Act.”

SEC. 2. PEDIATRIC STUDIES OF ALREADY-MARKETED DRUGS.
Section 505A of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 355a) is amended—

(1) by redesignating the second section 490C, relating to clinical research (42 U.S.C. 284k), as section 490G;

(2) by redesignating the second section 490, relating to enabling awards (42 U.S.C. 284l), as section 490H; and

(3) by adding at the end the following:

“SEC. 490I. PROGRAM FOR PEDIATRIC STUDIES

“(a) LIST OF DRUGS FOR WHICH PEDIATRIC STUDIES ARE NEEDED.

“(1) IN GENERAL.—Not later than 1 year after the date of enactment of this section, the Secretary, acting through the Director of the National Institutes of Health and in consultation with the Commissioner of Food and Drugs and experts in pediatric research, shall develop, prioritize, and publish an annual list of approved drugs for which—

“(A)(i) there is an approved application under section 505 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 355);

“(ii) there is a submitted application that could be approved under the criteria of section 505(b) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 355(b));

“(iii) there is no patent protection or market exclusivity protection under the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 355a);

“(iv) there is a referral for inclusion on the list under section 506A(d)(4)(C) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 355a(d)(4)(C)); and

“(B) in the case of a drug referred to in clause (1), (ii), or (iii) of subparagraph (A), additional studies are needed to assess the safety and effectiveness of the use of the drug in the pediatric population.

“(2) CONSIDERATION OF AVAILABLE INFORMATION.—In developing and prioritizing the list under paragraph (1), the Secretary shall consider, for each drug on the list—

“(A) the availability of information concerning the safe and effective use of the drug in the pediatric population;

“(B) whether additional information is needed;

“(C) whether new pediatric studies concerning the drug may produce health benefits in the pediatric population; and

“(D) whether reformulation of the drug is necessary.

“(b) CONTRACTS FOR PEDIATRIC STUDIES.—The Secretary shall award contracts to entities that have the expertise to conduct pediatric clinical trials at universities, hospitals, laboratories, contract research organizations, federally funded programs such as pediatric pharmacy research units, other public or private institutions, or individuals) to enable the entities to conduct pediatric studies concerning one or more drugs identified in the list described in subsection (a).

“(c) PROCESS FOR CONTRACTS AND LABELING CHANGES.—

“(1) WRITTEN REQUEST TO HOLDERS OF APPROVED APPLICATIONS FOR DRUGS LACKING EXCLUSIVITY.—The Commissioner of Food and Drugs, in consultation with the Director of the National Institutes of Health, may issue a written request (which shall include a timeframe for negotiations for an agreement) for pediatric studies concerning a drug identified in the list described in subsection (a)(1)(A) (except clause (iv) to all holders of an approved application for the drug under section 505 of the Federal Food, Drug, and Cosmetic Act. Such a written request shall be made in a manner equivalent to the manner in which a written request is made under subsection (a) or (b) of section 506A of the Federal Food, Drug, and Cosmetic Act, in which case the entities provided on the pediatric studies to be conducted pursuant to the request.
(2) REQUESTS FOR CONTRACT PROPOSALS.—If the Commissioner of Food and Drugs does not receive a response to a written request issued under paragraph (1) within 30 days of the date on which it was issued in part (A) of subdivision (IV) of the Federal Register described in subsection (a)(1)(A)(IV), the Secretary, acting through the Director of the National Institutes of Health and in consultation with the Commissioner of Food and Drugs, shall publish a request for contract proposals to conduct the pediatric studies described in the written request.

(3) DISQUALIFICATION.—If a holder receives a first right of refusal shall not be entitled to respond to a request for contract proposals under paragraph (2).

(4) GUIDANCE.—Not later than 270 days after the date of enactment of this section, the Commissioner of Food and Drugs shall promulgate guidance to establish the process for the submission of responses to written requests under paragraph (1).

(5) CONTRACTS.—A contract under this section may be awarded only if a proposal for the contract is submitted to the Secretary in such form and manner, and containing such agreements, and information as the Secretary determines to be necessary to carry out this section.

(6) REPORTING OF STUDIES.—(A) A report of the completion of a pediatric study in accordance with a contract awarded under this section, a report concerning the study shall be submitted to the Director of the National Institutes of Health and the Commissioner of Food and Drugs. The report shall include all data generated in connection with the study.

(B) AVAILABILITY OF REPORTS.—Each report submitted under paragraph (A) shall be considered to be in the public domain (subject to provisions with respect to the report submitted under subparagraph (A) in accordance with paragraphs (7).

(7) REQUESTS FOR LABELING CHANGE.—During the 180-day period after the date on which a report is submitted under paragraph (6)(A), the Commissioner of Food and Drugs may, with the concurrence of the Commissioner of Food and Drugs, shall consider the recommendation and, if appropriate, make a request to the Commissioner of Food and Drugs to make any labeling change that the Commissioner of Food and Drugs determines to be appropriate.

(8) FAILURE TO AGREE.—If a holder of an approved application for a drug, within 30 days after receiving a request to make a labeling change under paragraph (9), does not agree to the requested labeling change, the Commissioner may deem the drug to be misbranded under the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 301 et seq.).

(9) NO AGREEMENT TO REFERRAL.—Nothing in this subsection limits the authority of the United States to bring an enforcement action under the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 351(d)(4)(D)) and shall be assigned a docket number by the Commissioner of Food and Drugs. An interested person may submit written comments concerning such pediatric studies to the Commissioner of Food and Drugs, and the written comments shall be part of the docket file with respect to each of the drugs.

(C) ACTION BY COMMISSIONER.—The Commissioner of Food and Drugs shall take appropriate action in response to the report submitted under subparagraph (A) in accordance with paragraphs (7).

(10) RECOMMENDATION FOR FORMULATION CHANGES.—If a pediatric study completed under public contract indicates that a formulation change is necessary and the Secretary agrees, the Secretary shall send a nonbinding letter of recommendation regarding that change to each holder of an approved application.

(11) AUTHORIZATION OF APPROVALS.—(1) In general.—There are authorized to be appropriated to carry out this section—(A) $200,000,000 for fiscal year 2002; and (B) such sums as are necessary for each of the 5 succeeding fiscal years.

(2) AVAILABILITY.—Any amount appropriated under paragraph (1) shall remain available to carry out this section until expended.

SEC. 4. WRITTEN REQUEST TO HOLDERS OF APPROVED APPLICATIONS FOR DRUGS THAT HAVE MARKET EXCLUSIVITY.

Section 505(a)(d) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 355(a)(1)) is amended to read:—

(A) request and response.—If the Secretary determines to be appropriate and requests the holders to make; and

(C) no agreement to referral.—If the holder of an approved application for a drug does not agree to any labeling change requested by the Commissioner of Food and Drugs, the Commissioner of Food and Drugs shall refer the request to the Pediatric Advisory Subcommittee of the Anti-Infective Drugs Advisory Committee.

(2) ACTION BY THE PEDIATRIC ADVISORY SUBCOMMITTEE OF THE ANTI-INFECTIVE DRUGS ADVISORY COMMITTEE.—If, not later than the end of the 90-day period specified in paragraph (1), the holder of an approved application for the drug involved does not agree to any labeling change requested by the Commissioner of Food and Drugs, the Commissioner of Food and Drugs shall refer the request to the Pediatric Advisory Subcommittee of the Anti-Infective Drugs Advisory Committee under subsection (A) of subparagraph (C) of this section.

(i) review the available information on the safe and effective use of the drug in the pediatric population, including study reports submitted under this section; and

(ii) make a recommendation to the Commissioner of Food and Drugs as to appropriate labeling changes, if any.

(3) DISQUALIFICATION.—A holder that receives a first right of refusal shall not be entitled to respond to a request for contract proposals under paragraph (2).

(4) GUIDANCE.—Not later than 270 days after the date of enactment of this section, the Commissioner of Food and Drugs shall promulgate guidance to establish the process for the submission of responses to written requests under paragraph (1).

(5) CONTRACTS.—A contract under this section may be awarded only if a proposal for the contract is submitted to the Secretary in such form and manner, and containing such agreements, and information as the Secretary determines to be necessary to carry out this section.

(6) REPORTING OF STUDIES.—(A) A report of the completion of a pediatric study in accordance with a contract awarded under this section, a report concerning the study shall be submitted to the Director of the National Institutes of Health and the Commissioner of Food and Drugs. The report shall include all data generated in connection with the study.

(B) AVAILABILITY OF REPORTS.—Each report submitted under paragraph (A) shall be considered to be in the public domain (subject to provisions with respect to the report submitted under subparagraph (A) in accordance with paragraphs (7).

(7) REQUESTS FOR LABELING CHANGE.—During the 180-day period after the date on which a report is submitted under paragraph (6)(A), the Commissioner of Food and Drugs may, with the concurrence of the Commissioner of Food and Drugs, shall consider the recommendation and, if appropriate, make a request to the Commissioner of Food and Drugs to make any labeling change that the Commissioner of Food and Drugs determines to be appropriate.

(8) FAILURE TO AGREE.—If a holder of an approved application for a drug, within 30 days after receiving a request to make a labeling change under paragraph (9), does not agree to the requested labeling change, the Commissioner may deem the drug to be misbranded under the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 301 et seq.).

(9) NO AGREEMENT TO REFERRAL.—Nothing in this subsection limits the authority of the United States to bring an enforcement action under the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 351(d)(4)(D)) and shall be assigned a docket number by the Commissioner of Food and Drugs. An interested person may submit written comments concerning such pediatric studies to the Commissioner of Food and Drugs, and the written comments shall be part of the docket file with respect to each of the drugs.

(C) ACTION BY COMMISSIONER.—The Commissioner of Food and Drugs shall take appropriate action in response to the report submitted under subparagraph (A) in accordance with paragraphs (7).

(10) RECOMMENDATION FOR FORMULATION CHANGES.—If a pediatric study completed under public contract indicates that a formulation change is necessary and the Secretary agrees, the Secretary shall send a nonbinding letter of recommendation regarding that change to each holder of an approved application.

(11) AUTHORIZATION OF APPROVALS.—(1) In general.—There are authorized to be appropriated to carry out this section—(A) $200,000,000 for fiscal year 2002; and (B) such sums as are necessary for each of the 5 succeeding fiscal years.

(2) AVAILABILITY.—Any amount appropriated under paragraph (1) shall remain available to carry out this section until expended.

SEC. 5. TIMELY LABELING CHANGES FOR DRUGS GRANTED EXCLUSIVITY; DRUG FEES.

(a) ELIMINATION OF USER FEW WAIVER FOR PEDIATRIC SUPPLEMENTS.—Section 736(a)(1) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 379f(a)(1)) is amended—

(1) by striking paragraph (F); and

(2) by redesignating paragraph (G) as subparagraph (F).

(b) LABELING CHANGES.—

(1) DEFINITION OF PRIORITY SUPPLEMENT.—Section 201 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 351(a)(1)) is amended by adding at the end the following:

(2) TREATMENT AS PRIORITY SUPPLEMENTS.—Section 505A of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 355a(a)(1)) is amended by adding at the end the following:

(1) LABELING SUPPLEMENTS.—Any supplement to an application under section 505 proposing a labeling change pursuant to a request on a pediatric study under this section shall be considered to be a priority supplement; and
The text is a legislative document discussing various aspects of the Food and Drug Administration (FDA) and its impact on pediatric research and labeling. It includes sections on the establishment of advisory committees, the process for reviewing and approving drugs, and the importance of labeling changes for pediatric drugs. The document also mentions the need for coordination among various federal agencies and the role of the FDA in ensuring the safety and efficacy of drugs for children.
serve as the legally authorized representatives of such children (as defined in subpart A of part 46 of title 45, Code of Federal Regulations).

(2) The expectations and comprehension of child research participants and the parents, guardians, or legally authorized representatives of such children, for the direct benefits and risks of the child's research involvement, particularly in terms of research versus therapeutic treatment.

(3) The definition of “minimal risk” with respect to a healthy child or a child with an illness.

(4) The appropriateness of the regulations applicable to children of differing ages and maturity levels, including regulations relating to legal status.

(5) Whether payment (financial or otherwise) may be provided to a child or his or her parent, guardian, or legally authorized representative for the participation of the child in research, and if so, the amount and type of payment that may be made.

(6) Compliance with the regulations referred to in subsection (a)(1)(A), the monitoring of such compliance (including the role of institutional review boards), and the enforcement actions taken for violations of such regulations.

(7) The unique roles and responsibilities of institutional review boards in reviewing research involving children, including a discussion of membership on institutional review boards.

(c) **Requirements of Expertise.**—The Institute of Medicine shall conduct the review referred to in subsection (a)(1) and make recommendations under subsection (a)(2) in consultation with experts in pediatric medicine, biomedical ethics, and the ethical conduct of research involving children.

SEC. 13. FOUNDATION FOR THE NATIONAL INSTITUTES OF HEALTH.

Section 499 of the Public Health Service Act (42 U.S.C. 290b) is amended—

(1) in subsection (b), by inserting “including collection of funds for pediatric pharmacologic research” after “mission”;

(2) in subsection (c)(1)—

(A) by redesigning subparagraph (C) as a new paragraph (D); and

(B) by inserting after subparagraph (B) the following:

“(D) The Foundation shall—

(I) in consultation with the Health and the Commissioner of Food and Drugs, at the conclusion of the research and studies, shall agree to provide the recipients of grants for pediatric pharmacologic research and studies—

(1) a report describing the results of the research and studies; and

(2) all relevant materials in connection with the research and studies—

(IV) ACTION BY THE COMMISSIONER OF FOOD AND DRUGS.—The Commissioner of Food and Drugs shall take appropriate action in response to a report received under clause (ii) in accordance with paragraphs (7) through (12) of section 409I(a), including negotiating with the holders of approved applications for the drugs studied for any labeling changes that the Commissioner determines to be appropriate and requests the holders to make.

(2) At least 2 pediatric oncology specialists from the National Cancer Institute.

(b) at least 4 pediatric oncology specialists from—

(i) the Children’s Oncology Group;

(ii) other pediatric experts with an established history of conducting clinical trials in children; or

(iii) consortia sponsored by the National Cancer Institute, such as the Pediatric Brain Tumor Consortium, the New Approaches to Neuroblastoma Therapy or other pediatric oncology consortia.

(c) at least 2 representatives of the pediatric cancer patient and patient-family community.

(d) 1 representative of the nursing community.

(e) At least 1 statistician.

(f) At least 1 representative of the pharmaceutical industry.

(g) At least 1 representative of the pediatric oncology research and treatment community.

(h) Chairpersons of the Pediatric Oncology Consortia.

(i) At least 1 expert in pediatric cancer care.

(j) (42 U.S.C. 285a–4) Preclinical Models to Evaluate Promising Pediatric Cancer Therapies.—Section 413 of the Public Health Service Act (42 U.S.C. 227a), convene and consult an advisory committee on pediatric pharmacology referred to in this section as the “advisory committee”.

(ii) The advisory committee shall provide recommendations to the Secretary, through the Commissioner of Food and Drugs in consultation with the Director of the National Institutes of Health, on matters relating to pediatric pharmacology.

(2) Matters Included.—The matters referred to in paragraph (1) include—

(A) pediatric research conducted under sections 351, 409L, and 499 of the Public Health Service Act and sections 501, 502, 505, and 505A of the Federal Food, Drug, and Cosmetic Act;

(B) identification of research priorities related to pediatric pharmacology and the need for additional treatments of specific pediatric diseases or conditions; and

(C) the ethics, design, and analysis of clinical trials related to pediatric pharmacology.

(c) COMPOSITION.—The advisory committee shall include representatives of pediatric health organizations, pediatric researchers, relevant patient and patient-family organizations, and other experts selected by the Secretary.

SEC. 15. PEDIATRIC SUBCOMMITTEE OF THE ONCOLOGIC DRUGS ADVISORY COMMITTEE.

(a) Clarification of Authorities. — In General.—The Pediatric Subcommittee of the Oncologic Drugs Advisory Committee (referred to in this section as the “Subcommittee”), in carrying out the mission of reviewing and evaluating the data concerning the safety and effectiveness of marketed and investigational human drug products for use in the treatment of pediatric cancers, shall—

(A) evaluate and, to the extent practicable, prioritize new and emerging therapeutic alternatives available to treat pediatric cancer;

(B) provide recommendations and guidance to help ensure that children with cancer have timely access to the most promising novel cancer therapies; and

(C) advise on ways to improve consistency in the availability of new therapeutic agents.

(2) Membership. — (A) In General.—The Secretary shall appoint not more than 11 voting members to the Pediatric Subcommittee from the membership of the Pediatric Pharmacology Advisory Committee and the Oncologic Drugs Advisory Committee.

(b) Request for Participation. — The Subcommittee shall request participation of the following members in the scientific and ethical consideration of topics of pediatric cancer, as necessary:

(i) At least 2 pediatric oncology specialists from—

(I) the Children’s Oncology Group;

(ii) other pediatric experts with an established history of conducting clinical trials in children; or

(iii) consortia sponsored by the National Cancer Institute, such as the Pediatric Brain Tumor Consortium, the New Approaches to Neuroblastoma Therapy or other pediatric oncology consortia.

(iii) At least 2 representatives of the pediatric cancer patient and patient-family community.

(iv) 1 representative of the nursing community.

(v) At least 1 statistician.

(vi) At least 1 representative of the pharmaceutical industry.

(g) PRE-CLINICAL MODELS TO EVALUATE PROMISING PEDIATRIC CANCER THERAPIES.—Section 413 of the Public Health Service Act (42 U.S.C. 227a–2) is amended by adding at the end the following:

“(c) PRE-CLINICAL MODELS TO EVALUATE PROMISING PEDIATRIC CANCER THERAPIES.—

(I) Expansion and Coordination of Activities.—The Director of the National Cancer Institute shall expand, intensify, and coordinate the activities of the Institute with respect to research on the development of preclinical models to evaluate which therapeutics are likely to be effective for treating pediatric cancer.

(II) Coordination with Other Institutes.—The Director of the Institute shall report to the advisory committee created by paragraph (1) with similar activities conducted by other national research institutes and agencies of the National Institutes of Health to the extent practicable and Cooper television and radio programs to inform the public.
(c) Clarification of Availability of Investigational New Drugs for Pediatric Study and Use.—


(A) in subparagraph (B), by striking “and at the end;” and

(B) in subparagraph (C), by striking the period at the end and inserting “; and”;

and (C) by adding at the end the following:

“(D) (i) For single-patient and expanded protocol use

(ii) the manufacturer or sponsor of the investigation of a drug, and through what procedure, the manufacturer or sponsor shall provide for the review of pediatric safety and efficacy.”.

(2) AMENDMENT OF THE PUBLIC HEALTH SERVICE ACT.—Section 422(b)(2)(A) of the Public Health Service Act (42 U.S.C. 282(b)(2)(A)) is amended in the first sentence—

(A) by striking “trial sites,” and inserting “trial sites, and”;

and (B) by striking “in the trial,” and inserting “in the trial, and a description of whether, and through what procedure, the manufacturer or sponsor of the investigation of a new drug has plans for assessing pediatric safety and efficacy.”.

(3) REPORT.—Not later than January 31, 2003, the Secretary of Health and Human Services, acting through the Commissioner of Food and Drugs, in consultation with the Director of the National Institutes of Health, shall submit to the Committee on Health, Education, Labor, and Pensions of the Senate and the Committee on Energy and Commerce of the House of Representatives a report on patient access to new therapeutic and diagnostic agents, including increased availability of drugs for children that are not being tested for their safety and efficacy.

(d) EFFECTIVENESS OF SECTION 505A.—Not later than October 1, 2006, the Commissioner of Food and Drugs, in consultation with the Commissioner of Food and Drugs of the Food and Drug Administration, shall provide for the review of the report by the Advisory Committee on Pediatric Drugs, and shall provide for the review of the report by the Advisory Committee on Pediatric Drugs, and shall submit to Congress a report describing the findings of the study.

SEC. 17. ADVERSE-EVENT REPORTING.

(a) TOLL-FREE NUMBERS.—Not later than one year after the date of the enactment of this Act, the Secretary of Health and Human Services shall promulgate a final rule requiring that the labeling of each drug for which an application is approved under section 505 of the Federal Food, Drug, and Cosmetic Act (regardless of the date on which approval was granted) include the toll-free number maintained by the Secretary for the purpose of receiving reports of adverse events regarding drugs and a statement that such number is to be used for reporting purposes only, not for medical advice. With respect to the final rule:

(1) The rule shall provide for the implementation of such labeling requirement in a manner that the Secretary shall seek to minimize the cost of the rule on the pharmacy profession.

(2) The rule shall take effect not later than 60 days after the date on which the rule is promulgated.

(b) DRUGS WITH PEDIATRIC MARKET EXCLUSIVITY.—

(1) IN GENERAL.—During the one-year beginning on the date on which a drug receives a period of market exclusivity under section 505A of the Federal Food, Drug, and Cosmetic Act, any report of an adverse event regarding the drug that the Secretary of Health and Human Services receives shall be referred to the Office of Pediatric Therapeutics established under section 6 of this Act. In considering the report, the Secretary shall take into account advice and recommendations from the Pediatric Advisory Subcommittee of the Anti-Inflective Drugs Advisory Committee, including obtaining any recommendations of such Subcommittee regarding whether the Secretary should take action under the Federal Food, Drug, and Cosmetic Act in response to the report.

(2) RULE OF CONSTRUCTION.—Paragraph (1) may not be construed as restricting the authority of the Secretary of Health and Human Services to continue carrying out the activities described in such paragraph regarding a drug after the one-year period described in such paragraph regarding the drug has expired.

SEC. 18. MINORITY CHILDREN AND PEDIATRIC-EXCLUSIVITY PROGRAM.

(a) PROTOCOLS FOR PEDIATRIC STUDIES.—Section 505A of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 355A) is amended in subsection (d) by adding at the end of subsection (d) the following:

“(1) The effectiveness of section 505A of the Federal Food, Drug, and Cosmetic Act and section 409I of the Public Health Service Act (as added by this Act), including an estimate of—

(A) the costs to taxpayers in the form of lower treatment costs and hospitalization rates; and

(B) the increased private and Government expenditures by medicaid and other federal programs; and

(C) the costs to private insurers as a result of any delay in the availability of lower cost generic equivalents of drugs tested and granted exclusivity under the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 355 et seq.), and loss of revenue by the generic drug industry and retail pharmacies as a result of any such delay; and

(D) the benefits to the government, to private insurers, and to consumers resulting from decreased health care costs, including—

(i) decreased hospitalizations and fewer medical errors, due to more appropriate and more effective use of medications in children as a result of testing and re-labeling of the amendments made by this Act;

(ii) direct and indirect benefits associated with fewer physician visits not related to hospitalization;

(iii) benefits to children from missing less time at school due to chronic illnesses, thereby allowing a better quality of life;

(iv) benefits to consumers from lower health insurance premiums due to lower treatment costs and hospitalization rates; and

(v) benefits to employers from reduced need for employees to care for family members.

(2) DATE CERTAIN FOR COMPLETING STUDY.

(B) The results of those efforts, including—

(A) a description of the complexity of the studies;

(B) the number of study sites necessary to obtain appropriate data;

(C) the numbers of children involved in any clinical studies; and

(D) the estimated cost of each of the studies.

(3) THE SECRETARY should take action under the Federal Food, Drug, and Cosmetic Act, and section 409I of the Public Health Service Act (as added by this Act), including—

(A) the costs to taxpayers in the form of lower treatment costs and hospitalization rates; and

(B) the increased private and Government-funded pediatric research capability associated with the Act and the amendments made by this Act.

(4) Any recommendations for modifications to the programs established under section 505A of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 355A) and section 409I of the Public Health Service Act (as added by section 3), that the Secretary determines to be appropriate, including any detailed rationale for each recommendation.

(5) The increased private and Government-funded pediatric research capability associated with the Act and the amendments made by this Act.

(6) The number of written requests and additional letters of recommendation that the Secretary issues.

(7) The prioritized list of off-patent drugs for which the Secretary issues written requests.

(8) The efforts made by the Secretary to increase the number of studies conducted in the neonate population; and

(bb) the results of those efforts, including efforts made to encourage the conduct of appropriate studies in neonates by companies with products that have sufficient safety and other information to make the conduct of studies ethical and safe.

(b) STUDY BY GENERAL ACCOUNTING OFFICE.—

(1) IN GENERAL.—The Comptroller General of the United States shall conduct a study for the purpose of determining the following:

(A) The extent to which children of ethnic and racial minorities are adequately represented in studies conducted under section 505A of the Federal Food, Drug, and Cosmetic Act; and to the extent ethnic and racial minorities are not adequately represented, the reasons therefor under regulation, and recommendations to increase such representation.

(B) Whether the Food and Drug Administration’s post-approval safety, efficacy, and quality of the drug reporting system should be expanded to measure the extent to which children of ethnic and racial minorities are represented in such studies.

(c) REQUIREMENT TO REPORT ON THE STUDY.—The Secretary of Health and Human Services shall report to the Congress a report describing the findings of the study.
SEC. 10. TECHNICAL AND CONFORMING AMENDMENTS.

Section 105(a) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 355a) (as amended by sections 2(1), 5(b)(2), 9, 10, 11, and 17) is amended—

(1) by striking—

"(1)(A) by striking—"(j)(4)(D)(ii)" each place it appears and inserting—"(j)(4)(D)(ii)";

(2) by redesigning subsections (a), (g), (h), (i), (j), (k), (l), (m), (n), and (o) as subsections (b), (a), (g), (h), (n), (m), (l), (j), (k), and (l), respectively;

(3) by moving the subsections so as to appear in alphabetical order;

(4) in paragraphs (1), (2), and (3) of subsection (d), subsection (e), and subsection (m) (as redesignated by paragraph (2)), by striking—

"(5) in subsection (g) (as redesignated by paragraph (2)), by striking—"(j)(4)(D)";

(5) by redesigning subsections (a), (g), (h), (i), (j), (k), (l), (m), (n), (o) as subsections (b), (a), (g), (h), (n), (m), (l), (j), (k), and (l), respectively;

(6) by inserting a semicolon; and

(7) by inserting—

"(C) in paragraph (4), by striking the period and inserting a semicolon; and

(D) by inserting after paragraph (4), the following:

"(B) the development of coordinated response plans for responding to the mental health needs (including the response efforts of private organizations) that arise from a disaster or a terrorism incident, including the development and expansion of the 2-1-1 or other universal hotline as appropriate; and

"(6) the establishment of a mental health disaster response clearinghouse;"

SEC. 3. GRANTS TO DIRECTLY AFFECTED AREAS TO ADDRESS LONG-TERM NEEDS.

(a) In General.—The Secretary of Health and Human Services (referred to in this section as the “Secretary”) shall award grants to eligible State and local governments and other public entities to enable such entities to respond to the long-term mental health needs arising from the terrorist attacks of September 11, 2001.

(b) Eligibility.—To be eligible to receive a grant under subsection (a) an entity shall—

(1) be a State or local government or other public entity or an area that is directly affected (as determined by the Secretary) by the terrorist attacks of September 11, 2001; and

(2) prepare and submit to the Secretary an application at such time, in such manner, and containing such information as the Secretary may require.

(c) Use of Funds.—A grantee shall use amounts received under a grant under subsection (a)—

(1) to carry out activities to locate individuals who may be affected by the terrorist attacks of September 11, 2001 and in need of mental health services;

(2) to provide treatment for those individuals identified under paragraph (1) who are suffering from a serious psychiatric illness as a result of such terrorist attack, including paying the costs of necessary medications; and

(3) to carry out other activities determined appropriate by the Secretary.

(d) Supplement Not Supplant.—Amounts expended for treatments under subsection (c)(2) shall be used to supplement and not supplant amounts otherwise made available for such treatments (including medications) by the Federal Government, by local or State programs, or under any health insurance coverage.

(e) Use of Private Entities and Existing Providers.—To the extent appropriate, a grantee under subsection (a) shall—

(1) enter into contracts with private, nonprofit entities to carry out activities under the grant; and

(2) to the extent feasible, utilize providers that are already serving the affected populace, including providers used by public safety officials.

(f) Authorization of Appropriations.—There is authorized to be appropriated for each of fiscal years 2002 through 2005—

SEC. 2. PLANNING AND TRAINING GRANTS.

Section 520A of the Public Health Service Act (42 U.S.C. 290hh-32) is amended—

(1) in subsection (a)—

(A) in paragraph (2), by inserting before the semicolon the following:—

"(including the training of mental health professionals with respect to evidence-based practices in the treatment of individuals who are victims of a disaster or terrorism incident)

(B) in paragraph (3), by striking “and” at the end;
attacks. The bill was developed in close collaboration with Senator WARNER, Senator FRIST, Senator CLINTON, Senator WELSTONE, and Senator GREGG made important contributions and I thank them for their efforts. It is my hope that it will be approved by the House, and that it will be followed by an adequate allocation of funds to help all those who need it.

Mr. WARNER. Madam President, yesterday marked the three month anniversary of the most tragic days in American history. While the loathsome, cowardly acts of terrorism that took place on September 11, 2001 have deeply wounded our country, they have not, and will never, dull the spirit and resolve of the American people.

My thoughts and prayers continue to be with those who lost loved ones on that horrific day. And, I continue to express my deepest appreciation to the thousands of individuals who stepped up on the face of danger to assist in the devastation. Firemen, police officers, and soldiers at the Pentagon, the World Trade Center, and at the Pennsylvania crash site.

The Congress has come together, speaking with a unified bipartisan voice, on several pieces of legislation. Members of Congress have joined together in support of our President and his determination to punish the perpetrators of these attacks. We have joined together on legislation to help law enforcement prevent additional acts of terrorism and to help law enforcement bring terrorists to justice. We have also come together to provide additional resources to bolster our public health infrastructure to better prepare this country in the event of a more widespread biological attack.

I rise today to express my gratitude for my colleagues’ willingness to work in a bipartisan fashion on yet another piece of legislation in response to the September 11 attacks. On November 27, 2001, the Senate passed the Liberty, Education, Labor, and Pensions Committee reported out legislation to provide assistance with the health needs arising from that disaster, particularly for the treatment of those individuals who do not have mental health needs arising from that disaster, particularly for the treatment of those individuals who do not have mental health insurance coverage or who are under-insured.

Second, the bill permits the Secretary to provide grants to training mental health professionals in the treatment of certain disorders, such as post traumatic stress disorder, that may result from disasters.

Finally, the legislation permits the Secretary to make grants to States and localities to develop a coordinated mental health response plan in the event of a future disaster.

While the extent of the long term mental health consequences of September 11, 2001 are not entirely known, the needs are certain to be serious. This legislation makes it clear that Congress is committed to meeting the mental health needs of the individuals and families who were injured or killed in the terrorist attacks on this great Nation.

I thank my colleagues for their support of this legislation.

Mr. FRIST. Madam President, I ask unanimous consent that the amendment be agreed to, the motion to reconsider be laid upon the table, and that any statements related to the bill be printed in the RECORD.

Mr. DORGAN. Madam President, I ask unanimous consent that the amendment be agreed to, the motion to reconsider be laid upon the table, and that any statements related to the bill be printed in the RECORD.

Mr. REID. Madam President, I ask unanimous consent that the amendment be agreed to, the motion to reconsider be laid upon the table, and that any statements related to the bill be printed in the RECORD.

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

Mr. DORGAN. Madam President, I ask unanimous consent that the amendment be agreed to, the motion to reconsider be laid upon the table, and that any statements related to the bill be printed in the RECORD.

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

The legislative clerk read as follows:

A bill (H.R. 3323) to ensure that covered entities comply with the standards for electronic health care transactions and code sets adopted by the Secretary of the Social Security Act, and for other purposes.

There being no objection, the Senate proceeded to consider the bill.

Mr. REID. Madam President, I ask unanimous consent that the bill be read the third time and passed, the motion to reconsider be laid upon the table, and that any statements relating thereto be printed in the RECORD.

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

The bill (H.R. 3323) was read the third time and passed.

Mr. DORGAN. Madam President, today the Senate has passed H.R. 3323, a bill that waives the penalties for state health programs, health care providers, and health plans that are unable to comply with the transactions and code sets regulation of the Health Insurance Portability and Accountability Act by October 16, 2002. This bill is different from the bill passed by the Senate in November 27, and frankly, I would prefer that we simply provide the one-year extension to those entities that need it, as provided for in the Senate bill. However, the time remaining in this session of Congress is short, and the House bill will offer a measure of help to those in our states.

The House bill would require that, in order to receive a waiver, those entities needing more time to comply with the requirements of the health insurance portability and accountability Act would have to submit a plan to the Secretary of Health and Human Services explaining how they plan to come into compliance by October 16, 2003. When Senator CRAIG and I first introduced legislation more than six months ago, we are attempting to help alleviate a burden on covered entities. It is not our intention in passing this bill to place a significant new burden on health care providers, states, and health plans.

Mr. CRAIG. Madam President, I share Senator DORGAN’s concern that the compliance plans called for in the House bill not be unduly burdensome. The terrorist attacks of September 11th, and concern about bioterrorism, are putting an additional pressure on our already overtaxed public health system, so imposing new burdens is something we should try to minimize. Therefore, we strongly encourage Health and Human Services Secretary and the states to ensure that the requirement to file a compliance plan imposes as little a burden as possible.

Mr. BAYH. I want to associate myself with the remarks of my colleagues, Senators DORGAN and CRAIG. As a former governor, I also want to raise a potential concern that has been brought to my attention by some states. The Medicaid program is explicitly covered by HIPAA, but there are many other state programs with health components that may or may not be covered. Before states go through the potentially unnecessary work of submitting compliance plans that may not be needed, I feel strongly that HHS should provide guidance to states on what the program required. In addition, HHS should provide technical assistance as to what resources states can use for developing the compliance plans called for by the House bill. States should submit their plans for the Medicaid program and receive guidance from the HHS before submitting state plans that deal with other programs. Only with the appropriate and critical information can HHS and the states create a successful partnership.

Mr. DORGAN. Madam President, I express my gratitude to Senator FRIST, Senator KENNEDY, Senator CLINTON, Senator WELSTONE, and Senator GREGG, has passed the Senate by unanimous consent.

The legislation has three main components. First, it authorizes the Secretary of Health and Human Services to provide grants to areas that are directly affected by the attacks of September 11, 2001, such as Northern Virginia and New York City. Grants can be used by State and local governments to respond to the long-term mental health needs arising from that disaster, particularly for the treatment of those individuals who do not have mental health insurance coverage or who are under-insured.

Second, the bill permits the Secretary to provide grants for training mental health professionals in the treatment of certain disorders, such as...
bill is designed to create any new covered entities under the privacy rule. Our intention in safeguarding the privacy rule was to keep it intact but not to expand the class of covered entities currently contemplated by it.

Mr. DORGAN. In closing, I thank Senator CRAIG for his long and hard work on this issue, as well as Senators BURTON, GRASSLEY, and KENNEDY, and the many cosponsors of our original legislation, for their help in reaching enactment of this bill.

EXPRESSING THE SENSE OF CONGRESS REGARDING TUBEROUS SCLEROSIS

Mr. REID. I ask unanimous consent that the health committee be discharged from further consideration of H. Con. Res. 25, and the Senate proceed to its immediate consideration.

The PRESIDING OFFICER. Without objection, it is so ordered. The clerk will report the resolution by title.

The legislative clerk read as follows:

A concurrent resolution (H. Con. Res. 25) expressing the sense of the Congress regarding tuberculosis.

There being no objection, the Senate proceeded to the immediate consideration of the concurrent resolution.

Mr. REID. I ask unanimous consent that the resolution be agreed to, the motion to reconsider be laid on the table, and that any statements be printed in the RECORD, with no intervening action or debate.

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

The resolution (H. Con. Res. 25) was agreed to.

The preamble was agreed to.

DISTRICT OF COLUMBIA COLLEGE ACCESS IMPROVEMENT ACT OF 2001

Mr. REID. I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 244, H.R. 1499.

The PRESIDING OFFICER. Without objection, the bill will report the bill by title.

The legislative clerk read as follows:

A bill (H. R. 1499) to amend the District of Columbia College Access Act of 1999 to permit individuals who graduated from a secondary school prior to 1998 to attend eligible institutions if the fiscal year in which the individual graduated from secondary school occurred more than 10 years before the fiscal year of enactment of this Act (the District of Columbia College Access Improvement Act of 2001), was domiciled in the District of Columbia for not less than the 12 consecutive months preceding the commencement of the freshman year at an institution of higher education; or

"(ii) for all other individuals and for those applicants re-enrolling after more than a 3-year break in their post-secondary education, has been domiciled in the District of Columbia for at least 5 consecutive years at the date of application;"

"(B)(i) graduated from a secondary school or received the recognized equivalent of a secondary school diploma on or after January 1, 1998;"

"(ii) for applicants that did not graduate from a secondary school or receive a recognized equivalent of a secondary school diploma, is accepted for enrollment as a freshman at an eligible institution on or after January 1, 2002; or"

"(iii) for applicants who graduated from a secondary school or received the recognized equivalent of a secondary school diploma before January 1, 1998, is currently enrolled at an eligible institution on or after January 1, 1998;"

"(C) meets the citizenship and immigration status requirements described in section 484(a)(5) of the Higher Education Act of 1965 (20 U.S.C. 1091(a)(5));"

"(D) is within the District of Columbia, is domiciled in the District of Columbia for not less than the 12 consecutive months preceding the commencement of the freshman year at an institution of higher education; or"

The committee amendment in the nature of a substitute, as amended, was agreed to.

The bill (H. R. 1499), as amended, was read the third time and passed.

The title amendment be agreed to.

ORDERS FOR THURSDAY.

DECEMBER 13, 2001

Mr. REID. I ask unanimous consent that when the Senate completes its business today, it adjourn until the hour of 9:30 a.m., Thursday, December 13, that immediately following the prayer and pledge, the Journal of proceedings be approved to date, the morning hour be deemed expired, the proceedings be approved to date, the morning hour be deemed expired, the time for the two leaders be reserved for their use later in the day, and the Senate resume consideration of the farm bill; further, that the live quorum with respect to the cloture motion be waived.

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

ADJOURNMENT UNTIL 9:30 A.M.

MORNING SESSION

Mr. REID. I ask unanimous consent that the Senate adjourn under the provisions of section 2.

Mr. REID. I ask unanimous consent that the Senate stand in adjournment under the provisions of section 2.

There being no objection, the Senate, at 7:51 p.m., adjourned until Thursday, December 13, 2001, at 9:30 a.m.
Mr. BONIOR. Mr. Speaker, today I rise to recognize the 20th Anniversary Celebration and 9th Annual Awards Banquet of the Chaldean Federation of America. This anniversary marks 20 years of the federation’s distinguished commitment to the Chaldean community in Michigan and 9 years of presenting awards to exemplary citizens within the community.

The Chaldean Federation of America was established in 1980 as a nonprofit organization, as part of the nationwide group of the Association of Chaldean Americans. The federation is a beacon of support for Chaldean American citizens living in the metropolitan Detroit area, providing valuable assistance to the Chaldean American community. Today the Chaldean Federation of America represents over 120,000 Chaldean Americans living in the Detroit metropolitan area.

Community and public service are tenets of the Chaldean Federation of America. Their organization provides help for Chaldeans seeking to adjust comfortably into American society. The organization is also involved in numerous community action programs, including, but certainly not limited to, serving needy families, protecting civil and legal rights of all Chaldeans promoting volunteer opportunities, offering language enhancement classes, promoting greater understanding of cultural differences, and working with youth to ensure they have an equal opportunity. Services like these are why we must all look with great pride upon the work on behalf of the community done by the Chaldean Federation of America.

Without an organization like the Chaldean Federation of America, the large population of Chaldean Americans living in Michigan would be without one of the greatest resources within the community. Too often we tend to ignore minority groups, forcing them to live in isolation from the whole community. The Chaldean Federation of America is committed to breaking down walls that at times exist between communities, fostering great understanding of cultural differences, and providing Chaldean Americans with valuable services that benefit not only Chaldeans, but the entire community.

Mr. Speaker, I rise to congratulate the Chaldean Federation of America for 20 years of outstanding support in the community and I ask that all of my colleagues join me in recognition of their hard work and dedication.

RECOGNIZING RED RIBBON WEEK AND ENCOURAGING AMERICA’S YOUTH TO STAY DRUG-FREE

HON. JO ANN EMERSON
OF MISSOURI
IN THE HOUSE OF REPRESENTATIVES
Tuesday, December 11, 2001

Mrs. EMERSON. Mr. Speaker, earlier this fall I was invited to share a Red-Ribbon Week Message with students in Missouri’s Eighth Congressional District. Although my congressional responsibilities required me to remain in Washington, I wanted to share with our students why I believe its so important to learn from your parents, teachers, community leaders, and even yourself. I want to remind you about the dangers of drugs and why you should stay away from drugs—now and forever.

I know that it seems like parents, educators, and grownups have been telling you forever that drugs lead you one way—the wrong way. You might even think that you’ve heard it all before and that we are nagging you because we keep bringing it up. I mean you get it from everywhere right? Your parents tell you at the dinner table about the dangers of drugs. Your teachers tell you at school that drugs lead you to a life of loss and destruction. And others, like your local law enforcement officers tell you that drugs lead to death and destruction.

Well, you know that? They are all right. And believe me, if you are not hollering at you just because they have to, they are hollering at you because they love and care about you and they want you to have productive, happy and healthy lives. Now, even though I think parents, teachers, and other grownups are doing a good job of warning you about the dangers of drug use, I believe kids can help keep other kids from using drugs. In fact, I think that each of you can lead the way in the fight against drugs by teaming up and sending the rest of America a message. The message is this: no one is trying drugs and using drugs is not normal. And to prove that point, you aren’t going to use drugs—and neither are your friends.

It works like this. Imagine that you are at a party or just hanging out with a group of kids after school. Someone, maybe even another student, starts smoking marijuana. They ask you to join. They tell you it’s great, that it won’t hurt you and that you are a loser if you say no. What would you do?

You know deep down that the best thing to do is say no and walk away. But as a mom, and believe it or not, someone who was once a kid, I know that it’s really tough to be the only one that says no. You feel alone and you feel like everyone else won’t think you’re very cool. But you know what? If you, as friends make a pact to be a team—to say no and leave—then you have made a real statement. Not only are drugs not okay for you, but they aren’t okay for your friends either. These tips and suggestions were developed by students like you. They call it, “keep it REAL.” And for them, REAL stands for:

R: Refuse—a simple “no” goes a long way—but it goes even further when you all say “no” together.
E: Explain—You can say, “I am not that kind of person, or that is not for us.” And if you are forceful, your “no” will go a very long way.
A: Avoid—You know just as well as the police and others, that there are places where the likelihood that drugs are around is more prevalent in some places than others. If you know where those places are, then you’ll know to avoid them. In other words, stay away.
L: Leave—Like the story I mentioned earlier, you can leave—and you should leave.

You can keep it real, and you can get some of the support you need in that effort from your parents, your teachers, your teammates and others in the community. One of the organizations in your area that is helping out is PAWSPT/Narc with a Bark. PAWSPT or Prevention Awareness With Students, Parents and Teachers is a unique program using real-life scenarios to stop kids in your school. They also come into your schools to teach you about the danger of drug use. The program is run by Rosa and Doug Wallis and is a great effort on their part to open up the lines of communications about drugs and drug use prevention. I encourage every one of you to learn more about what they’ve been doing to help keep drugs out of your schools.

Mr. Speaker, before I go, I want to leave the children of Missouri’s Eighth District and the children of our Nation with one more thought. You students are the most valuable and important resource that we have—you are the future leaders of our country. But this year, more than 2.4 million students just like you will try drugs. But if you all team up and stand together to refuse, explain, avoid, and leave drug-related situations, then you have a REAL chance to have a wonderful life full of promise, hope and success. I believe you can do it and so do your teachers, parents, and your community leaders. We’re depending on you and if you need help, then I hope you know, you can depend on us.

IN RECOGNITION OF CHARLES COUNTY PUBLIC SCHOOLS

HON. STENY H. HOYER
OF MARYLAND
IN THE HOUSE OF REPRESENTATIVES
Tuesday, December 11, 2001

Mr. HOYER. Mr. Speaker, I rise today to give recognition to Charles County public schools. The Charles County public schools received the Daisy Bates National School District Award for its minority achievement program. Under the direction of Superintendent James E. Richmond, Charles County public schools have made the success of all students a major priority, and addressing the performance of minority students is a major component of this effort. Charles County public schools have developed a 5-year plan for academic achievement, personal responsibility,
and career readiness. In this plan, everyone is responsible for successful attainment of the objectives. The superintendent, board members, instructional staff, principals, certificated and support staff, all play major roles in addressing the “success for all” approach.

Designing programs that best meet the needs of the students is a major key of their success. In order to make programs like these work, systems must first look at the needs of the students and then develop the programs. Charles County public schools sought to fit the program to the students, not the students to the program. Their programs are successful because of the dedication and commitment of their teachers. They truly believe that all children can and will learn to read if given instruction and additional time to read and write in an environment that supports and challenges them. This system provides continuous training for teachers and assistants, limits class size, and provides current, appealing, and appropriate materials for their schools.

Mr. Speaker, and colleagues, please join with me in wishing the Charles County public schools continued success and congratulations on their achievements toward the academic success of their students.

TRIBUTE TO MAYOR NANCY HEIL

HON. MARK UDALL
OF COLORADO
IN THE HOUSE OF REPRESENTATIVES
Tuesday, December 11, 2001

Mr. UDALL of Colorado. Mr. Speaker, I rise today to pay tribute to a tireless worker and a devoted public servant. After eighteen years of public service, Nancy Heil, who began her service on the city council in 1983 and has served as Mayor of Westminster, Colorado, for six years, is retiring.

Throughout her public career, Mayor Heil’s priority has been preserving the quality of life for Westminster residents. During the forty years she has called Westminster her home, she has watched it grow from a small suburban town to a city of over 100,000. Ensuring that people are still able to enjoy the lifestyle they came to Westminster for has always been of top importance to the Mayor. She has been a constant, positive force in the community, displaying an unmatched passion for the welfare of her citizens.

Mayor Heil was a leader in focusing attention on the importance of removing the radioactive wastes from the U.S. Department of Energy’s Rocky Flats Nuclear Weapons Facility—which is located just west of Westminster. She spoke out about the importance of finding secure locations to remove the dangerously contaminated material from such a well-populated urban area and thereby safeguard the millions of people in the Denver-metro area.

She was also one of the leaders and original proponents of preserving the open space resources at Rocky Flats and in calling for the site to be transformed into a National Wildlife Refuge once it is cleaned up and closed. In such a fast growing area of the Denver metropolitan region, Mayor Heil saw an opportunity to keep much of the area as a natural asset for future generations.

Through her ability to forge coalitions and collaborate with neighboring communities, Mayor Heil was able to bring out the best in other leaders and ensure that it was always the citizens that benefited. I am proud to have had the opportunity to work with a community leader of her quality. She put the people first and I consider it an honor to represent her years of dedicated service. The city of Westminster and indeed the state of Colorado have benefitted from her contributions.

Her accomplishments and the esteem in which she is held were recently reported in the Denver Post. For the information of our colleagues, I am attaching a copy of that report.

[From the Denver Post, December 11, 2001]

HEIL LEAVES OFFICE ON HIGH NOTE

(By George Lane)

WESTMINSTER—When Nancy Heil first took her seat on the City Council in 1983, she might have been one of the most naïve politicians around.

Consider that she wondered if “Dr. Cog” might be a family physician. DRCOG is the acronym for the Denver Regional Council of Governments.

Since then, Heil’s growth and political maturity have resulted in her twice being named Westminster’s Woman of the Year and becoming the city’s first elected mayor.

Now, after almost two decades of service, in the middle of the term to which she was elected in 1999, Heil is leaving office from Dec. 31. She said it’s time for something new.

“These are extraordinary times, and they have caused me to re-think the importance of the office of mayor,” she said during a recent interview. “I have willingly given 18 years of my life to work for the city I love. I have given it my best, and now I believe it is time for me to take a new direction.”

Councilman Ed Moss, recently elected mayor pro tem, will complete Heil’s unexpired term, as dictated by the city charter.

Government observers here say following Heil won’t be easy.

“Nancy, she’s a class act,” said Adams County Commissioner Elaine Velente. “Her shoes are going to be tough to fill. I think she’s done a tremendous job representing the city of Westminster.”

Heil was a teacher in upstate New York before she met her husband, Jay, and moved to Colorado. Jay Heil is a Colorado native who went back East for dental school. The couple now have four adult children.

The mayor said that Westminster was a town of about 15,000 people when she moved here about 40 years ago, and there was almost no place to live. She now points proudly at a city of more than 100,000, the Westin Hotel that opened several years ago and Westminster Mall, where sales tax has been Westminster’s major source of revenue for a number of years.

The mayor said she has resolved some health problems over the past few years. During the past year, she also has faced a sometimes-divided City Council over whether one of their own should be removed because of expense-account irregularities.

“Shed had a good vision for the city, wanted the city of improve its image and it did, wanted the city of be a good place to live and I think she achieved that,” said Vi June, mayor from 1985 to 1991.

HON. JERRY WELLER
OF ILLINOIS
IN THE HOUSE OF REPRESENTATIVES
Tuesday, December 11, 2001

Mr. WELLER. Mr. Speaker, I rise today to recognize and honor Dr. Hugh C. Avalos of Morris, Illinois as he prepares to retire at the end of this year. For more than 40 years, Dr. Avalos has served his community in a great many ways.

First and foremost, Dr. Avalos has always demonstrated the greatest concern for and commitment to his patients. A physician of great skill, Dr. Avalos received a solid education at the University of Mexico, the Little Company of Mary Hospital in Chicago and Cook County Hospital in Chicago. Dr. Avalos has displayed his professional dedication throughout his career by pursuing additional educational opportunities on four continents and winning Board certification in English, Spanish and German.

Although not a native of Morris, Illinois, Dr. Avalos has spent the past 42 years working to better his adopted community. Active membership in service organizations, such as the Moose, Shriners and especially Rotary International, which he served as president of the local club, has been a large part of his volunteer efforts along with important leadership positions at the local bank and hospital.

A very special interest of Dr. Avalos, though, has been serving the youth of the City of Morris. For more than 30 years, Dr. Avalos used his considerable professional skills to protect the health and condition of the youth of Morris as the team physician for the Morris Community High School football, basketball and baseball teams.

From a personal perspective as a resident of Morris, I am proud to have been able to consider Dr. Avalos a good friend now for well over a decade. I am well aware of the great esteem in which he is held by his patients and our community as a whole. It gives me great pleasure to both congratulate Dr. Avalos on a tremendous professional career and also to wish him much happiness during his retirement years.

Mr. Speaker, using the life and career of Dr. Hugh Avalos as an example, I urge the Members of this body to identify, recognize and honor other individuals in their own districts whose actions have greatly benefitted our communities and nation.

RECOGNIZING MARY BESS, CHIEF FINANCIAL OFFICER, ON HER RETIREMENT FROM THE MADISON MEDICAL CENTER (FREDERICK-TOWN—MADISON COUNTY)

HON. JO ANN EMERSON
OF MISSOURI
IN THE HOUSE OF REPRESENTATIVES
Tuesday, December 11, 2001

Mrs. EMERSON. Mr. Speaker, H. Jackson Brown Jr’s book On Success reminds us to “remember that overnight success usually takes about fifteen years.” Well, if that is the case, then Mary E. Bess is an overnight success and then some. Having served the Madison Medical Center in Fredericktown for 25
years, Mary is retiring and leaving her position as Chief Financial Officer of the Center.

As Mary retires and leaves the day to day work at the Madison Medical Center, she leaves an indelible mark on the entire Madison County region. For 25 years she has dedicated her life to improving health care affordability, accessibility and service. Her contributions have been a source of great pride and satisfaction for the Madison Medical Center and have resulted in such community-wide recognition as the Administrative Management Award for her hard work as a health care provider in Madison County.

There is no doubt that Mary, a graduate of Greeneville High School, who has spent a great deal of time and energy helping others, will not simply rest on laurels now that she is retiring. Instead, I’m sure that she will spend time on both new activities and favorite pastimes. Specifically, I am referring to enjoying time with those people who mean the most to her—her husband Hershel and her children, David and Dennis. But most of all, I am certain that those individuals who will benefit the most from her retirement will be her four grandchildren: Mallory, Chelsea, David Scott and Dustin.

It is often said that success is not measured by great wealth or material treasures. Instead, success is measured on the person you are, the life you live, and how your life influences the lives of others. If that is true, and I believe that it is, then we are all richer for knowing Mary Bess.

While Mary may be leaving the Madison Medical Center, her contributions to the organization are timeless and will endure. She leaves the Madison Medical Center far stronger, smarter and better than it was when she joined it and that is a legacy for which she can be proud.

Mr. Speaker, on this very special occasion, I ask that all of my colleagues join me in congratulating Mary on this milestone and wish her every happiness for the future.

DANGER AHEAD: SOCIAL SECURITY PRIVATIZATION IS BREAKING THE PROMISE

HON. JANICE D. SCHAKOWSKY
OF ILLINOIS
IN THE HOUSE OF REPRESENTATIVES
Tuesday, December 11, 2001

Ms. SCHAKOWSKY. Mr. Speaker, I am pleased that the House is considering a resolution stating our commitment to maintain the promise of Social Security by guaranteeing lifetime, inflation-proof benefits to current and future beneficiaries.

I am not surprised that we feel the need to do so tonight in light of today’s dangerous recommendations by the President’s Social Security Commission, that we feel the need to reaffirm our commitment to Social Security on the same day that the Commission is suggesting that we break that promise.

We should assure Americans—that current retirees, future retirees, persons on disability, survivors and dependents—that we will not abandon them, cut their benefits, raise their retirement age, change benefit formulas, reduce COLAS, or take any other step that jeopardizes their financial security.

We all know that this Commission was handpicked to include only those who favor privatization and individual accounts. It does not include representatives of seniors’ groups, women’s groups, or consumer groups. It held closed-door sessions in subcommittee meetings designed to circumvent government in the sunshine of public scrutiny. But even this Commission agrees that you cannot have privatization without cutting benefits.

Two weeks ago, I had the opportunity to meet with members of the Commission at an event sponsored by the Women’s Caucus. At that meeting, we were told that the Commission’s recommendations in the sunshine of public scrutiny. But even this Commission agrees that you cannot have privatization without cutting benefits.

As we know, Social Security is of special importance to women, who are 60% of all recipients. Without Social Security, over half of older women would live in poverty. Women understand that value of Social Security, we know that we must protect it now and in the future.

Therefore, we should listen to what women’s groups have to say about the Commission’s recommendations issued today. Martha Burk, chair of the National Coalition of Women’s Organizations, says that “The President’s Social Security Commission proposes major cuts in guaranteed benefits that will not be made up by the stock market gains from individual accounts.”

Mr. Speaker, on this very special occasion, I ask that all of my colleagues join me in congratulating Mary on this milestone and wish her every happiness for the future.

HON. BENJAMIN A. GILMAN
OF NEW YORK
IN THE HOUSE OF REPRESENTATIVES
Thursday, December 6, 2001

Mr. GILMAN. Mr. Speaker, I commend the diligent efforts of Chairman THOMAS, my colleagues and their staff members in drafting and sponsoring H.R. 3005, the Bipartisan Trade Promotion Authority Act of 2001. H.R. 3005 is being referred to as the most environmentally and labor responsive legislation regarding Trade Promotion Authority (Fast Track) to be sponsored by the U.S. Congress. However, I share the concerns raised by many of my constituents that H.R. 3005’s labor and environmental standards do not go far enough to ensure a level playing field in our proposed trade agreements.

H.R. 3005 refers to environmental and labor provisions as negotiating objectives. Our trade history reveals that during the past 25 years including labor rights, and now environmental and labor negotiations, do not guarantee that these provisions will actually be included in any proposed trade agreements.

The geopolitical and trade landscape has changed, of the 142 members comprising the World Trade Organization (WTO), 100 are classified as developing nations and 30 are referred to as lesser-developed nations. Why is this important? It is important because China’s accession into the WTO, the 130 nations will become more forceful in promoting their trade agendas, and an opportunity for a more cooperative attitude toward trade issues is apparent if a nation lowers its environmental and labor standards. Many nations’ standards are sub-standard at best.

As drafted, the overall negotiating objective of H.R. 3005 is to promote respect for worker rights. My constituents report that the worker rights provisions do not guarantee that “core” labor standards are included in the corpus of prospective trade agreements. By core labor standards, I refer to the International Labor Organization’s 1998 Declaration on Fundamental Principles and Rights at Work: freedom of association, the right to organize and for collective bargaining, and the rights to be free from child labor, forced labor and employment discrimination, which many people throughout the world are confronted with. My constituents are troubled that H.R. 3005 does not require a signatory to an agreement to improve or even to maintain that its domestic laws comport with the standards of the International Labor Organization, in practice more incentive is created for lowering them.

Among H.R. 3005’s principle objectives is a provision entitled labor and the environment, which calls for the signatories to trade agreements to enforce their own environment and labor laws. The United States, as a leader in the global trade community must set the example by raising the labor and environmental standards of its trading partners. In the end, it will be the United States who is called upon to provide the resources to clean-up environmental disasters.

Through their first-hand accounts, my constituents report that workers in many nations that we seek to enter into bi-lateral and multi-lateral trade agreements are subjected to exploitation, harassment and worse for exercising their rights to collective bargaining, and are forced to work under abusive conditions. For example, in our own hemisphere more than 33% of the complaints filed with the International Labor Organization’s Committee on Free Association originate in the Andes region. I understand that in Bolivia, Ecuador, Colombia and Peru undermine the right to collective bargaining, and there are scores of reports from NGO’s regarding un-conscionable violations of the most fundamental rights for workers and their union representatives. The AFL-CIO reports that since January 2001, more than 93 union members in Columbia have been murdered, while the perpetrators have gone unpunished.
How the United States engages in trade negotiations and its practices are crucial not only for our future, but for our democratic process. How our nation conducts itself is scrutinized worldwide, in essence, we must set the right example. Events at the recent World Trade Organization negotiations in Doha, Qatar have made this fact even more apparent. The WTO is seeking to adopt a worldwide "Investor-State Clause" in the next round of discussions. This clause was written into Chapter 11 of the North American Free Trade Agreement (NAFTA) for the purpose of protecting business interests by foreign governments and companies. What it has been used for, however, is completely different from its originally stated purpose.

Cases such as Methanex v. United States and its progeny are dispositive of harmful effects of the unbridled power of ill thought out provisions of trade legislation. Methane, the producer of MTBE an additive used to make gasoline burn cleaner, was leaking from a storage tank and into the water supply in California after further testing banned MTBE. Methanex, a Canadian Corporation, brought an action against the United States in July 1997, not in our courts, but pursuant to NAFTA's Chapter 11 foreign investor clause. According to William Greider's October 15th article in the New Republic, "under this provision a foreign investor can sue a national government if their companies property assets, including the intangible property of expected profits, are damaged by laws or regulations of virtually any kind." Greider further reveals that Methanex, through its Washington D.C. powerhouse law firm, used tribunal established through NAFTA, where the proceeding are secret (unless the parties agree to public disclosure).

Greider goes on, "As nervous Members of Congress inquire into what they unwittingly created back in 1993, critics explain the implications: Multinational investors can randomly second-guess the legitimacy of environmental laws or any other public-welfare or economic regulation, including agency decisions, and even jury verdicts. The open ended test is whether the regulation illegitimately injured a company's investments and can be construed as tantamount to expropriation, though no assets were physically taken."

This Chapter 11 case and many others like it are now pending and/or being heard before these arbitral panels. Methanex is seeking 970 million dollars. This is an outrage and an assault on our legal system. To add insult to injury, the draftee of the provision, now in private practice, readily admits that it was an intended consequence of NAFTA, rather an unintended consequence as most people believed it to be.

All cases finalized thus far have been either judged in favor of the business interest or settled out of court. The end result is an exact subversion of the right of people to protection from polluters the air they breathe, the water they drink, and the food they eat. In effect, this clause allows the democratic processes we hold so dear to be subverted.

Mr. Speaker, we must seek out ways to make trade compatible with conservation of the environment even by adhering to core labor and environmental standards that are both incorporated into the body of a trade agreement and enforceable.

A TRIBUTE TO MR. CAREY RAMIREZ
HON. NITA M. LOWEY
OF NEW YORK
IN THE HOUSE OF REPRESENTATIVES
Tuesday, December 11, 2001

Mrs. LOWEY. Mr. Speaker, I rise in tribute to Carey Ramirez, one of the many true heroes who emerged from the devastation of September 11th.

Mr. Ramirez, a 25-year-old hospice nurse employed by the Hospice of New York and working out of the Margaret Tietz Center for Nursing Care Inpatient Hospice Unit, was on a bus, traveling to his NYU Nursing Education program at the time of the attack on the World Trade Center.

Seeing the smoke and flame, Mr. Ramirez urgently requested the bus driver to stop to allow him to investigate the situation. He was dressed in his nursing whites and carrying a stethoscope, and was anxious—like so many health care and rescue personnel—to help people in danger.

Mr. Ramirez, without hesitation or thought of his own well-being, found himself at the North Tower, identified himself to authorities and proceeded to look for individuals to assist. He was at 4 World Trade Center when the South Tower collapsed. With his own life in danger, he found and rescued two women, one of whom was blind.

Carey's heroic effort was captured by CNN and People magazine, and was also featured in U2's music video "Walk On". He was seen assisting both women—his arm locked with the arm of the blind woman, the other woman clinging to his backpack. All were covered with ash.

There were many such heroes on that terrible day. But what has impressed me about this young man is his continued unassuming demeanor and belief that he is not a hero—just a New Yorker who put other New Yorkers' well-being ahead of his own.

In my judgement, Carey Ramirez is a hero and I am pleased and honored to recognize him today.

I would also like to commend three extraordinary business and community leaders, Preston Robert Tisch, Richard Kahan and Tony Kiser, who founded this public/private partnership and have worked selflessly and relentlessly to promote its success. Thanks to their efforts, Take the Field is already off to a promising start. Seven outdoor athletic facilities—already one in each borough—have already been rebuilt.

Take the Field is committed to rebuilding 52 of 60 outdoor facilities over a four-year period. The average cost of each field reconstruction project is $2 million, for a total cost over $100 million. The $500,000 allocation that this bill provides will actually provide $2 million for Take the Field, thanks to the City of New York, which has provided this tremendous undertaking with a three to one challenge grant.

In the next few years, Take the Field can reverse more than a quarter of a century of neglect and deterioration of our public school athletic fields and provide students with access to a broad range of athletic activities that can improve their health and fitness, as well as their desire for academic excellence and keep them away from drugs and violence. The allocation contained in this bill will help accomplish this.

TRIBUTE TO SERGEANT DOUGLAS BAUM
HON. DUNCAN HUNTER
OF CALIFORNIA
IN THE HOUSE OF REPRESENTATIVES
Tuesday, December 11, 2001

Mr. HUNTER. Mr. Speaker, today, as our Nation's armed forces make America proud by fighting the war on terrorism, I wanted to recognize the parents of a young man who gave his life for our country during the war in Vietnam. Clayton and Eleanor Baum live in my district, in La Mesa, California. Their son, Sergeant Douglas Baum, was killed on November 18, 1967, in the central highlands of South Vietnam, Dak To.

Sgt. Baum was 20 years old and, according to author Edward F. Murray, founder and president of the Medal of Honor Historical Society, was one of the most popular members of the Army's 173rd Airborne Brigade, Alpha Company 503. As a soldier, Sgt. Baum had earned the Army Commendation Medal, the Bronze Star, the Silver Star and the Purple Heart. Sgt. Baum was due for rotation and had begun to send his belongings to his parents when he was killed defending the lives of those in his squad.

After Sgt. Baum's death, members of the 173rd Airborne contacted Clayton and Eleanor to let them know how much Douglas meant to them, praising his bravery and leadership. People like Sgt. Darrell Cline, who has stayed in contact with the Baums and arranged for them to attend several of the national events for the 173rd, and Tom Means, a member of Sgt. Baum's squad who searched 25 years to meet Clayton and Eleanor just to tell them how much he thought of their son.

Those who attacked us on September 11th have severely underestimated the resolve of those who carry on the legacy of soldiers like Sgt. Douglas Baum. America's military follows a proud tradition of service and dedication. Like those that came before them...
they fight to defend our country and they sacri-
fice to preserve our freedom. Clayton and El-
eanor, words cannot express the gratefulness
we have for Douglas’ sacrifice. On behalf of a
grateful country and community we say thank
you, his service has helped make America strong.

FROM INFAMY TO A BETTER WORLD, REVISITING PEARL HARBOR

HON. JANICE D. SCHAKOWSKY
OF ILLINOIS
IN THE HOUSE OF REPRESENTATIVES
Tuesday, December 11, 2001

Ms. SCHAKOWSKY. Mr. Speaker, I rise in
remembrance and observance of Pearl Harbor
Day, a terrible day in our country’s history. On
this day, 60 years ago, the greatest generation
was called into action. They answered this
call, and changed the world forever.

On the morning of Sunday, December 7,
1941, the Japanese fleet crossed the Pacific
Ocean. They attacked and crippled the US
Pacific Fleet. The attackers bombed our
docked ships, and a nearby military airfield.
Eight American battleships and 13 other naval
vessels were sunk or badly damaged, almost
200 American aircraft were destroyed and
approximately 3,000 naval and military personnel
were killed or wounded. The attack marked
the entrance of the United States into the war.

The Axis Powers marched across Europe
toward world domination. The tripartite rep-
resented one of the darkest and most evil
forces the world has ever known. Nazi Ger-
many had begun the systematic extermination
of Jewish men, women and children. The Axis
Powers moved to conquer, rule, and destroy
to gain the world, under a flag of greed and
hate.

American forces joined freedom-loving na-
tions already fighting. Our soldiers fought val-
iantly from the shores of Normandy to the Bat-
tle of Midway. They fought not to show U.S.
might, nor to win possessions. The American
soldiers fought to preserve and protect the
right of people to live freely.

In the years following the defeat of the Axis
Powers, the world would change shape. Bor-
ders would open, stimulating a wave of free-
dom strong enough to tear down walls and
break barriers. People from different corners of
the earth would be connected like never be-
fore. America would build a strong relationship
with Japan and its other, and unite much of
the world to destroy the vice of communism.

Today, Americans look upon the events of
December 7, and for the first time, in a new light.
In retrospect, we understand the distant stare that
beset our father’s, mother’s, grandfather’s, and
grandmother’s eyes as they told stories of
where they were, and what they were doing
on that day 60 years ago. It is with new ears
that we hear and hearts that understand the
described terror and uncertainty that jolted
the country when an enemy attacked us on
our ground. It is with gratitude and the utmost
respect that we remember those who fought,
and those who were lost for the love of our
nation.

We move forward more vigilant, more
aware, and more determined. As we pay trib-
ute to those we lost at Pearl Harbor, we stand
with a new pride in America. Our hopes and
prayers go out to those who are deployed,
even now, to carry the torch in the light for
freedom. At the dawning of a new day of un-
certainty, we can look to the American values
of freedom, justice, and equally to lead us to
peace and security. We remember the bravery
of our soldiers that suffered so, to make our
world better.

WELCOMING OF THE CAPITOL
HOLIDAY TREE

HON. JOHN D. DINGELL
OF MICHIGAN
IN THE HOUSE OF REPRESENTATIVES
Tuesday, December 11, 2001

Mr. DINGELL. Mr. Speaker, I rise this after-
noon to share with my colleagues the remark-
able story of the 2001 Capitol holiday tree.
The holiday tree is a sixty-seven year old, 74-
foot white spruce, that was cut on the Ottawa
National Forest in the Western Upper Penin-
sula, in the great state of Michigan. Tonight,
at 5:00 p.m., the Speaker will throw a switch and
illuminate this magnificent tree for the world to
see.

It is with a great sense of pride that I inform
my colleagues that this is the fifth time that the
state of Michigan has provided the Capitol hol-
day tree. This year’s tree is aptly named the
“Tree of Hope,” and will be displayed on the
lawn of the U.S. Capitol until early January.

Before arriving in Washington, D.C., the tree
traveled through Michigan and stopped in
10 communities, including beautiful Monroe, in
my congressional District.

The tree will be decorated with 6,000
handcrafted ornaments provided by Michigan
residents. And I would draw my colleagues’
particular attention to the beautiful ornament
provided by Monroe County Community Col-
lege, a fine institution of higher learning in
Michigan’s 16th District. The ornament was
designed by Jerry Morse, the graphic arts de-
signer at the college, and constructed by Matt
and Pam Hart of Temperance. I ask my col-
leagues to join me in recognizing this fine
 craftsmanship.

The Tree of Hope is a beautiful symbol of
Michigan’s vision of peace and optimism for
the new millennium. The people of Michigan
have provided their unique wishes and dreams
of a better tomorrow with the 6,000
handcrafted ornaments that will adorn the tree.
It is a fitting message of peace for the holiday
season.

I ask my colleagues to join me in recog-
nizing the Capitol holiday tree from the great
state of Michigan, and the magnificent orna-
ment from Monroe.

BIPARTISAN TRADE PROMOTION
AUTHORITY ACT OF 2001

SPEECH OF
HON. TOM UDALL
OF NEW MEXICO
IN THE HOUSE OF REPRESENTATIVES
Thursday, December 6, 2001

Mr. UDALL of New Mexico. Mr. Speaker, I
believe that international trade is very impor-
tant to improving our nation’s economy and
would gladly vote for a bill encouraging Fair
Trade around the globe. I have been proud to
cast pro-trade votes in this House before;
however, I cannot support the Thomas bill,
and I urge my colleagues to vote no. If given
the chance, I would like to have an up or
down vote on the Rangel substitute, but the
Majority has produced an unfair, undemocratic
rule, with little meaningful debate allowed.
I support trade agreements that provide
important safeguards to protect the rights of
American working families as well as the
rights of our trading partners’ workers. I also
support trade agreements that protect the
global environment. I cannot, however, sup-
port this Fast Track authority because it will
weaken our ability to exercise our Constitu-
tional duty to provide oversight of the execu-
tive branch. I believe that any special authority
granted to the President should be conditioned
upon certain basic requirements that the
United States only enter into agreements that
are mindful of the need to protect the workers
in all countries participating in the agreement
as well as the global environment. These safe-
guards must be in the core text of the bill, not
promised in future negotiations.

I believe, though, that our debate today is
about more than H.R. 3005. The Majority
Party has failed to provide for our nation’s im-
mediate needs. Our country has many press-
ing, economic needs that remain unmet by
the Leadership of this House. We must act now
to raise the living standards of workers—both
here at home, and abroad. The time to act
is long overdue.

The Majority Party has done nothing to
address many of those needs. It has done noth-
ing to help the thousands of unemployed
Americans who have lost their jobs in the
Bush recession. It has done nothing to help
workers with their emergency health care
needs. It has done nothing to pass an econ-
omic stimulus that really helps working fami-
lies.

I urge my colleagues to vote no on the
Thomas bill, and I urge the Majority to give
us a fair vote on a fair trade bill—the Rangel
substitute.

AMENDING INTERNAL REVENUE
CODE TO SIMPLIFY REPORTING

SPEECH OF
HON. DONALD A. MANZULLO
OF ILLINOIS
IN THE HOUSE OF REPRESENTATIVES
Tuesday, December 4, 2001

Mr. MANZULLO. Mr. Speaker, of the many
Federal regulations with which colleges and
universities are required to comply, one of the
most onerous is that associated with the
HOPE scholarship and lifetime learning tax
credit. Originally enacted as part of the Tax-
payer Relief Act of 1997, the tax credits were
intended to give parents back more of their
hard-earned money, up to $1,500 for the first
2 years of college, so that they could better af-
ford to send their children to school.

While we were successful in providing, this
tax relief for students and families, we dis-
covered an unintended consequence: an un-
funded mandate burdening, colleges, trade
schools, community colleges, and universities
in the form of a reporting requirement adminis-
tered by the IRS.

I became aware of this regulatory issue dur-
ing the fall of 1997. I was discussing several
concerns with Dr. La Tourette, president of Northern Illinois University. While talking about the merits of the HOPE scholarship, he dropped the bombshell on me and informed us of the new Federal requirements forcing all 6,000 institutions of higher education in this country to collect unprecedented information on their students and disseminate that information to the IRS.

I knew compliance with the reporting requirement would be expensive and expensive and would ultimately be borne by the very families that we are trying to help with the HOPE scholarship program. Both large and small institutions have been hit hard by the reporting requirement. The cost to schools to implement and abide by these regulations will soar into the hundreds of millions of dollars. And, of course, they will be passed on to the consumers of education, which are the parents and the students.

Since my conversation with Dr. La Tourette, I have worked with members of the higher education community and with Commissioner Charles Rossotti of the IRS to simplify the reporting requirements and ease the burden of the regulations on the colleges and universities of this country. Today, I am proud to say that H.R. 3346 is the product of a partnership that evolved between the IRS, the Treasury Department, the higher education community, and members of Congress, and this can serve as a model for how we can positively impact higher education in the future by working together.

Specifically, while H.R. 3346 maintains the reporting requirement, the bill eliminates certain elements of the law such as reporting a reporting requirement, the bill eliminates certain elements of the law such as reporting a reporting requirement. The cost to schools to implement and abide by these regulations will soar into the hundreds of millions of dollars. And, of course, they will be passed on to the consumers of education, which are the parents and the students.

Early estimates from Northern Illinois University predict that as a result of the passage of this bill, this school could avoid a one-time cost of approximately $90,000. This includes the costs of program computer systems to accommodate new requirements included in the original legislation that are not included in the pending legislation, as well as what it would cost initially to implement Social Security number recording of the taxpayer claiming the student as a dependent.

Additionally, the university would have incurred ongoing costs on an annual basis for solicitation and data entry of the student-reported information, and those costs are estimated at $30,000 a year. The University of California’s system expects to save $1 million in the first year alone as a result of H.R. 3346. Overall, the savings the schools will attain as a result of this legislation are very significant. When we consider that most institutions of higher education would incur costs of similar proportion, the impact is particularly traumatic.

I would be remiss if I did not take a moment to heartily thank Commissioner Rossotti with whom we met on no less than three different occasions in order to fashion this legislation. I also want to thank Judy Dunn, Curt Wilson and Beverly Babers of the staff. I would like to thank Northern Illinois University, both former president and current president Dr. John Peters and Catherine Shinham from the school for their insights and efforts as we have worked to craft this legislation. This bill is a memorial to Dr. Ruth Mercedes-Smith, former president of Highland Community College, who was killed in a car accident several months ago. Her support for our work was invaluable. Also, Dr. Chapdeleine of Rock Valley Community College, Dr. LaVista of McHenry Community College, Jacquelyn Itu-Woo of the University of California and Mary Bachinger and Anne Gross of the National Association of Colleges and University Business Officers. All of these groups worked tirelessly together in order to craft the legislation. It took us 4 years to do it. During that period of time, the IRS worked to implement a reorganization of these regulations because they knew that the goal was worthy. Lastly, I want to thank Sarah Giddens of our staff who, for 4 years, tirelessly worked on this legislation, dogging it dot by dot, i by i, in the hundreds of meetings, literally, that she had and the hours that she poured into this piece of legislation.

Mr. Speaker, it is a great piece of legislation. Instead of spending money on regulatory compliance, the schools can spend that money doing what they do best, and that is educating the kids.

TRIBUTE TO DANIEL HENRY PETITHORY

HON. JOHN W. OLVER
OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, December 11, 2001

Mr. OLVER. Mr. Speaker, I rise today to honor Sergeant 1st Class Daniel Henry Petithory. Sergeant Petithory was killed December 5, 2001, while serving in the Army’s Fifth Special Forces Group near Kandahar, Afghanistan as part of Operation Enduring Freedom. He was one of the first military casualties of the conflict in Afghanistan.

Sergeant Petithory was born and raised in Cheshire, MA, in northern Berkshire County. A graduate of Hoosac Valley High School, he enlisted in the Army upon graduating from high school in 1987.

He attended Air Assault School at Fort Rucker, AL, and later served as a military police officer stationed at Fort McClelland, AL. He was a member of the special reaction team at Fort McClelland.

Sergeant Petithory served in contingency operations in Kuwait, Haiti, Africa, and throughout southwest Asia. He became a Green Beret, and at the time of his death he was serving as a communications expert with the Fifth Special Forces Group stationed at Fort Campbell, KY.

He leaves behind his parents, Louis and Barbara Petithory of Cheshire, a brother, Michael, and a sister, Nicole.

Our Armed Forces were deployed to Afghanistan in our struggle against international terrorism. Daniel Petithory died in the line of duty to help bring freedom to the Afghan people, and he fought to guarantee the peace and security for all American citizens.

Daniel Petithory’s death is a great loss for his hometown and his country. America owes him a tremendous debt for his work protecting our nation and maintaining peace in Afghanistan.

Safeguarding Freedom and Democracy

HON. JANICE D. SCHAKOWSKY
OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, December 11, 2001

Ms. SCHAKOWSKY. Mr. Speaker, it is with great pride that I rise to honor and thank the U.S. Capitol Police for their around-the-clock commitment to maintaining the safety and security of the U.S. Capitol, Members of Congress and the thousands of staff and visitors who occupy the grounds daily.
On September 11, the USCOP rose to the challenge. In the face of uncertainty and while our nation was under attack, the men and women of the Capitol Police remained behind as the Capitol compound was evacuated, while working to ensure our safety. On that day, every member of the House and Senate staff, the Capitol Police, and the employees of the Capitol demonstrated the bravery and commitment of the Capitol Police.

Today we mark three months since the terrorist attacks on the Pentagon and New York City. Since 9–11, twelve-hour days, six-day weeks, overtime and cancelled vacations are the norm, not the exception for the Capitol Police. This resolution, H. Res. 309, is a small token signifying that your dedication and personal sacrifices have not gone unnoticed. I thank you for your service to us, to our community and to our great nation and I urge all Members to vote in support of this important resolution.

GEORGE WILL ON "A PLAN FOR ARAFAT"

HON. TOM LANTOS
OF CALIFORNIA
IN THE HOUSE OF REPRESENTATIVES
Tuesday, December 11, 2001

Mr. LANTOS. Mr. Speaker, last weekend was a particularly horrible chapter in the ongoing strife in the Middle East. In a wave of violence, Palestinian terrorist suicide bombers killed 25 innocent Israeli children, women, and men as they were going about their daily activities—walking in a pedestrian mall and riding a public bus. The terrorist organization, Hamas, has taken “credit” for these deplorable acts. Their targeting civilians of all ages and walks of life is part of their cowardly and vicious attempt to destroy the State of Israel. Such acts cannot be tolerated.

Mr. Speaker, George F. Will has written a particularly insightful piece in the December 4th issue of the Washington Post. He spells out the misguided and dangerous actions of Yasser Arafat and the Palestinian Authority which have prevented peace from being attained in that very volatile region of the world, and he stresses the need for Israel aggressively to protect herself.

Where hope for a peaceful Middle East settlement once existed after the Madrid Conference in 1991 and the Oslo Agreement in 1993, we now find an environment of hate for Israel and the United States which has been fertilized and nourished by such debacles as the United Nations World Conference Against Racism, which was held in Durban, South Africa last summer.

Mr. Speaker, I was present at Durban for the conference, and I fully concur with George Will’s assessment that this was truly not a conference against racism, but rather a racist conference! I have rarely seen such anti-Semitic and anti-Israel venom spewed as I did at that conference. Because of the level of hatred and the lack of fairness, the United States Government walked out of the conference. I was greatly disappointed that we had no choice but to walk out because this was an opportunity to deal meaningfully with the many problems of racism, discrimination, and xenophobia which the world faces. Instead of addressing these problems, the conference was hijacked by Arab extremists determined to sin-
Mr. UPTON. Mr. Speaker, I rise in strong support of the Health Care Safety Net Improvement Act of 2001. This legislation authorizes the Consolidated Health Centers program, the National Health Service Corps, and several programs vital to access to care in rural America. It also provides statutory authority for and direction to the Health Resources and Services Administration’s Office for the Advancement of Telehealth and provides for a study on overcoming the barriers that many migrant farm workers and their families experience in seeking health care services as they move from state to state. Taken together, these programs and activities will help to strengthen our nation’s health care delivery system by improving access to care and quality of care in our rural and inner-city medically underserved communities.

Health centers are located in 3,000 rural and urban communities throughout the nation and provide quality primary and preventive health services to over 10 million low-income and uninsured patients. With the number of uninsured in this nation growing by more than 100,000 per month, it is estimated that 53 million people will lack health insurance by 2007. Health centers have played and will continue to play a vital role in addressing this serious problem.

We are fortunate in my Southwest Michigan district to have two strong networks of community and government health centers providing care to over 40,000 people. These centers and the people they serve benefit greatly from the doctors and dentists who are participating in the National Health Service Corps Loan Repayment program.

As Chairman of the Energy and Commerce Committee’s Telecommunications and the Internet Subcommittee and a senior member of its Health Subcommittee, I have been particularly interested in the role that rapidly emerging telehealth technologies can play in increasing access to care and quality of care in rural and inner-city America. I was pleased to work with my colleagues on the Committee to include provisions in the Health Care Safety Net Improvement Act formally authorizing the Office for the Advancement of Telehealth (OAT). The OAT is currently the focal point for the telehealth activities and programs across federal agencies. It was instrumental in the formation of the Joint Working Group on telemedicine, for which it provides both leadership and staffing.

One of the greatest barriers to recruiting physicians to our rural communities is the sense of isolation they may feel in their practices. Telehealth services can address that barrier by linking rural primary care physicians and their patients with specialists in major medical centers across the nation. Further, one of the looming threats to access to care and quality of care is the growing shortage of nurses, pharmacists, and clinical laboratory personnel. Telehealth services can address this problem by bringing education and training programs right into local communities.

I hope everyone will join me today in strongly supporting the Health Care Safety Net Improvement Act. This bipartisan, thoughtful and innovative legislation will improve access to care and quality of care for millions in urban and rural America.

IN HONOR OF DARREN PEARSON

HON. EDOLPHUS TOWNS
OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES
Tuesday, December 11, 2001

Mr. TOWNS. Mr. Speaker, I rise today to honor Mr. Darren Pearson in recognition of his community service as well as his successful real estate businesses in Brooklyn and Queens, NY.

Mr. Pearson’s businesses include a full-service real estate firm, apartment building management, and construction and maintenance. Before becoming involved in real estate, Darren worked as an account executive for Vanguard Oil. He also worked for Vanguard Oil as a fuel salesman in the commercial and barge departments. His duties included fuel sales to Con Edison, PSEG, and LILCO. He was subsequently promoted to director of public relations for Vanguard and was responsible for the home oil transfer program, which provided oil to needy families at either a discount or no cost. His success in that position led to his promotion to vice president of procurement and industrial sales for Vanco Oil Co., a subsidiary of Vanguard.

Darren is active in the Brooklyn and Manhattan communities. He is the chairman of the Men’s Caucus for Congressman Towns, a member of 100 Black Men, Inc., and New York State Senator David Patterson’s Progressive Professional Network. As a young businessman, Darren hires and trains college-bound students as trainees in real estate management and office administration.

Mr. Speaker, Darren Pearson is a young entrepreneur committed to working with his community and promoting opportunities for others. As such, he is truly worthy of receiving this recognition, and I urge my colleagues to join me in honoring this remarkable man.

IN HONOR OF ERNEST A. SAMPSON III

HON. EDOLPHUS TOWNS
OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES
Tuesday, December 11, 2001

Mr. TOWNS. Mr. Speaker, I rise in honor of Ernest A. Sampson, III, in recognition of his dedication to his community.

Ernest A. Sampson, III, was born in New York City. He is the youngest of three children born to Fay and “the late” Ernest Sampson.

Ernest received his early education in the New York City Public School System. He graduated from Cardinal Hayes High School in the Bronx, and went on to receive his Bachelor of Arts Degree in Funeral Service Administration from St. John’s University in 1986. During his junior year, he attended the American Academy McAllister Institute. During his senior year, he apprenticed at his grandfather’s funeral home “The James H. Willis Funeral Home, Inc.”

Ernest is a Master Mason hailing from Afri- can Lodge 459#63 in Brooklyn, NY. He re- ceives his religious instruction from the Lord Jesus Christ through Archbishop Roy E. Brown, Pastor of Pilgrim Assemblies International.

Ernest with the support of his mentor, James H. Willies, established Sampson Funeral Service in March of 1998. Being committed to community service, he conducts numerous seminars, educating people on city burial programs and what do when the Lord calls someone home, Ernest has also spoken at several public schools to young children on their career day. In early 2001, Ernest cited the Mayor and Councilman for Robin- son as a “Man Of Courage.” Ernest is the proud husband of Debbie Sampson and the proud father of Ernest IV, Sheniqua, Alyssia, Tiara and his spiritual daughter, Alexis.

Mr. Speaker, Ernest A. Sampson, III is a hard working man of God, dedicated to his family and his community. As such he is more than worthy of receiving our recognition today. I urge my colleagues to join me in honoring this truly remarkable man.

STATEMENT IN SUPPORT OF THE NURSE REINVESTMENT ACT

HON. JOSEPH R. PITTS
OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES
Tuesday, December 11, 2001

Mr. PITTS. Mr. Speaker, I rise in support of this important legislation, the Nurse Reinvestment Act, to help relieve America’s nursing shortage.

Every American should be concerned about the growing shortage of nurses. Just as more Americans are reaching their golden years, fewer nurses are graduating from nursing schools to provide the quality health care they earned and deserve.

Less well known, but of equal severity and concern, is the fact that there is a shortage of nurse anesthetists in America. Certified Registered Nurse Anesthetists, or CRNAs, provide 60% of anesthetics in the U.S., and are the sole anesthesiology provider to 70 percent of U.S. rural hospitals. They are the military’s predominant anesthesiology provider, especially on U.S. Navy ships and at forward-deployed locations, serving our men and women in uniform as we are united in America’s war on terror. They are registered nurses, who go on to complete masters-level education and certification in nurse anesthesia, and are considered a type of advanced practice nurse, licensed to practice in all 50 states. America’s 26,000 CRNAs meet the most stringent training and certification requirements in anesthesia care. And with all this, the Institute of Medicine reported in its landmark survey of medical errors, To Err Is Human, that anesthesia care is 50 times safer than 20 years ago.

And there are not enough CRNAs today. The growth in the number of Medicare-eligible Americans compounds the growth in the number of surgical procedures requiring anesthesiatics. A 2001 survey of nurse anesthetist managers reported a 250 percent increase in CRNA vacancies among those managers reporting anesthesiatics just since 1997. America’s 83 accredited schools of nurse anesthesia are graduating more CRNAs, just not enough to keep up with growing demand. In real life, this
means surgeries get delayed, operating rooms lie unused, and hospitals and patients suffer, for a lack of a sufficient number of nurse anesthetists. We simply need to educate more of them.

This important legislation helps relieve the nursing shortage, and the CRNA shortage, in several important ways. It expands the authorization of the existing Nurse Loan Repayment program, so that nurses, including CRNAs, can work off their obligations in a greater range of health care sites with shortages, such as rural hospitals, Ambulatory Surgical Centers, and Critical Access Hospitals. It authorizes scholarships for nurses, including CRNAs, who agree to work in shortage areas. It provides important new incentives to educate nursing faculty, and to reach out to young people with the information they need to consider nursing as a positive, challenging, and life-changing career that is both economically secure and flexible.

This is only the beginning of our work on relieving this critical shortage. In 2002, Congress is due to consider reauthorizing of existing nurse education programs, Title VIII of the Public Health Service Act. I hope that as we reauthorize the Title VIII programs, we can look for creative ways to expand the number of nurses in America, while growing our ranks of advanced practice nurses such as nurse anesthetists.

I want to thank several Members for their excellent work on this bill; Chairman BILIRAKIS and Ranking Member TOWNS of the Energy and Commerce Committee; and Chairman BLILERAKIS and Ranking Member SHEPHERD of the Subcommittee on Health, as well as Congresswomen KELLY and CAPPS, original cosponsors of this legislation.

IN HONOR OF RAYMOND T. PEEBLES

HON. EDOLPHUS TOWNS
OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES
Tuesday, December 11, 2001

Mr. TOWNS. Mr. Speaker, I rise in honor of Raymond T. Peebles in recognition of his commitment to using his architectural skills to keep building his community in a positive direction.

Raymond T. Peebles is a long time resident of Brooklyn. He is also a registered architect in New York and Connecticut. He sees his profession as serving the various communities of New York City. Established in 1972, his firm, Peeble Architect PC, has worked with community groups in the design of new housing developments, churches, and the renovation and rehabilitation of brownstones. Over the years the firm has expanded its expertise to include health facilities, cabarets, and multistory structures. To fulfill the authorization of the existing Nurse Loan Repayment program, so that nurses, including CRNAs, can work off their obligations in a greater range of health care sites with shortages, such as rural hospitals, Ambulatory Surgical Centers, and Critical Access Hospitals. It authorizes scholarships for nurses, including CRNAs, who agree to work in shortage areas. It provides important new incentives to educate nursing faculty, and to reach out to young people with the information they need to consider nursing as a positive, challenging, and life-changing career that is both economically secure and flexible.

This is only the beginning of our work on relieving this critical shortage. In 2002, Congress is due to consider reauthorizing of existing nurse education programs, Title VIII of the Public Health Service Act. I hope that as we reauthorize the Title VIII programs, we can look for creative ways to expand the number of nurses in America, while growing our ranks of advanced practice nurses such as nurse anesthetists.

I want to thank several Members for their excellent work on this bill; Chairman BILIRAKIS and Ranking Member JOHN DINGELL of the Energy and Commerce Committee; and Chairman BLILERAKIS and Ranking Member SHEPHERD of the Subcommittee on Health, as well as Congresswomen KELLY and CAPPS, original cosponsors of this legislation.

IN HONOR OF VIVIAN YVETTE BRIGHT

HON. EDOLPHUS TOWNS
OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES
Tuesday, December 11, 2001

Mr. TOWNS. Mr. Speaker, I rise in honor of Vivian Yvette Bright in recognition of her tireless work and dedication on behalf of her church and her community.

Vivian Yvette Bright wears numerous hats. She is committed to the never-ending fight for her church and development of our youth. She believes that it is important to try and do as much as you can for as many as you can for as long as you can. This is illustrated by her exhaustive list of associations. Vivian is a life member of Zeta Phi Beta Sorority, Inc. and past President of Delta Alpha Zeta Chapter; life member of the National Council of Negro Women; Chairperson of the Board of Directors of the Cypress Community Day Care Center; Trustee of Addiction Research & Treatment Center/Urban Research Institute; member, Board of Directors of the Brooklyn Community Board #8; Vice President and Chair of the Land Use Committee; President of the Leadership Council of Open Communities of Brooklyn, Inc.; Business Manager of the Concerned Women of Brooklyn—among many other affiliations. In addition, since 1989, she has served as the Business Administrator and Director of the Community and Family Life Center of the Berean Missionary Baptist Church.

Vivian has also received countless awards for her outstanding work—some of which include: Brooklyn Navy Yard Community Leadership; the Lucille Rose Humanitarian Award—NAACP; Governor Carey International Year of the Child Award; New Horizons Village Homeowners Leadership Award; as well as a long list of awards from New York’s many distinguished community and the development of our youth.

Vivian is a remarkable woman with unbelievable stamina; her many successes and honors come from hard work and a strong education. She received her Masters of Science in Human Resources Management from the New School for Social Research; she is a member of the Pratt Institute’s Community Economic Development Program; and also holds a BS in accounting; Vivian is also listed in “Who’s Who of American Women”. On top of her many other accomplishments, Vivian is a proud wife and mother receiving constant support from her husband of 42 years, Lonnie Bright and their children, Gary, Teresa, Marvin, Jamal, and Tiffany.

Mr. Speaker, Vivian Yvette Bright is a tireless leader in her community. As such, she is more than worthy of receiving our recognition. I urge my colleagues to join me in honoring this truly remarkable woman.

EXPRESSING SENSE OF CONGRESS HONORING THE CREW AND PASSENGERS OF UNITED AIRLINES FLIGHT 93

SPEECH OF HON. NANCY PELOSI OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES
Wednesday, December 5, 2001

Ms. PELOSI. Mr. Speaker, I am honored to be a cosponsor of this resolution memorializing the heroic crew and passengers of United Airlines Flight 93.

On September 11, as the fourth hijacked airplane, United Flight 93, fell to the ground, some 100 miles southwest of the Pennsylvania turnpike, the passengers and crew knew their plane would also be turned into a fearsome weapon. The hijackers underestimated the indefatigability of the American spirit. We may never know the whole story of the events on Flight 93 after the hijackers seized control. However, the phone calls and the cockpit voice recorder have given us the heart of it: the passengers and crew knew they had to act, and they did. They talked, and they prayed, and then they rushed the cockpit to try to stop the hijackers. A few minutes later, the plane crashed to the ground in rural Pennsylvania.

The nation salutes the crew and passengers of Flight 93 for their bravery in the face of overwhelming danger and almost certain death. If the flight had continued on its path toward the Nation’s Capital, many more lives would have been lost. We might also have lost either the U.S. Capitol or the White House, the most powerful symbols of our nation, and known the world over as symbols of the world’s greatest democracy.

I especially wish to acknowledge the heroism of Mark Bingham from San Francisco. Six feet five inches tall, Mark had played rugby in college. At thirty-one years old, he was CEO of his own public relations firm. On the street late one night, he had wrestled a gun from the hands of a mugger. He was a risk-taker, a man who lived life to the fullest. I had the opportunity to join his partner, Paul Holm, and his family and friends in celebrating his life and his memorial service in San Francisco. Our hearts go out to them for their loss of this brave man.

House Concurrent Resolution 232 expresses the sense of the Congress that the United States owes its deepest gratitude to the passengers and crew of Flight 93, and commends their courage and heroism on the grounds of the U.S. Capitol. It is with both great sadness and deep appreciation that I cast my vote for this resolution.
IN HONOR OF FR. JAMES E. GOODE
OFM, PH.D.

HON. EDOLPHUS TOWNS
OF NEW YORK
IN THE HOUSE OF REPRESENTATIVES
Tuesday, December 11, 2001

Mr. TOWNS. Mr. Speaker, I rise in honor of Father James E. Goode, OFM, Ph.D., in recognition of his dedication and commitment to his community, his faith, and in his work in the battle against AIDS.

Father James E. Goode, OFM, Ph.D., is the leading Black Catholic Evangelist in the United States. He is known as the Dean of Black Catholic Evangelists having preached the first Black Catholic Revival in America (1974). The first Black Catholic Revival was held at Our Lady of Perpetual Help Church in the Archdiocese of Chicago. Father Goode has preached all over the world and is one of the most sought after African American Catholic priests. Father Goode and Rev. Jesse Jackson preached at the Vatican during the Black American Voices in Rome celebration, an event that was sponsored by the Vatican and the City of Rome.

Father Goode was an elected member of the New York City Community School Board in District 16 for two terms. He was the former President of the San Francisco Housing Authority Commission. He also headed the first San Francisco Mayor’s Task Force on Drug Addiction and served as a Commissioner for Children, Youth and Families. He was also a Commissioner for the San Francisco Delinquency Prevention Commission, as well as the San Francisco AIDS Council.

Father Goode is a native of Roanoke, Virginia and a proud Franciscan Friar of the Order of Friars Minor, Province of the Immaculate Conception in New York City (ordained May 13, 1974, NYC). He has earned both his Doctor of Philosophy, with a major in Psychology, from Union Graduate School, his Master of Theology, from the University of the State of New York, St. Anthony Theological Seminary, his Master of Divinity, from the University of the State of New York, St. Anthony Theological Seminary, his Master of Arts in Educational Psychology: from the College of Saint Rose, Albany, New York, and his Bachelor of Arts, from the University of the State of New York, Immaculate Conception Seminary.

He was the Founding Pastor of the Faith Community of Black Catholics, Our Lady of Charity (1974) in the Diocese of Brooklyn. Under his leadership this declining parish came alive and became authentically Black and Catholic. Our Lady of Charity became a model for Black Catholic worship, education, community outreach and ecumenism. Father Goode assisted the larger Black Catholic Community of Brooklyn by serving on many boards and councils. He was the first chairman of the Office of Black Ministry in the Diocese of Brooklyn. By God’s grace and mercy and through Father Jim Goode’s gift of preaching and healing, thousands have come home to the Catholic faith. His motto: “Blessed are the meek for they shall inherit the earth and no matter how hard the task or how difficult the moment I am ready to go in your name”. He is a longtime activist and leader of Social Justice and Peace. His untiring efforts to combat and correct some of society’s most urgent problems have been his life’s mission. This activism has led him to develop the 1st Annual AIDS Summit for Black Catholics on Saturday, December 1, 2001. The theme of the conference is: “Lift every life, help is on the way.”

Mr. Speaker, Franciscan Father Jim Goode’s services have been dedicated not only to the spiritual and psychological growth and development of his people. He is a voice for the voiceless in their quest for human rights. As such, he is more than worthy of receiving our recognition today and I urge my colleagues to join me in honoring this truly remarkable man.

DENNIS O’DELL; VETERANS COME FIRST!

HON. BOB FILNER
OF CALIFORNIA
IN THE HOUSE OF REPRESENTATIVES
Tuesday, December 11, 2001

Mr. FILNER. Mr. Speaker and colleagues, I rise today to recognize and honor Mr. Dennis O’Dell of San Diego County who has been selected as the winner of the 2001 Maxine Waters Award for Courage, to be presented by AMVETS Post #66 on January 12, 2002 in Cathedral City, California.

Dennis O’Dell is a resident of my Congressional District. He was born in September, 1949 in Maryville, Missouri to Doris V. Shell O’Dell and Norman C. O’Dell. His father was awarded the Purple Heart, the Bronze Star, and the European-African-Middle East Theater Campaign Medal, along with others honors. Dennis was raised in El Segundo, California and attended El Segundo High, El Camino College in Torrance, and Penn Valley College in West Los Angeles.

He served in the United States Marine Corps and received his honorable discharge in 1969. He began a career as a policeman in 1975 in Long Beach, being wounded three years later, he became a business owner in Missouri.

However, his roots were calling him back to California, and he returned in 1983, working for a Security Company in Beverly Hills and for the Sepulveda VA Medical Center. In 1986, he went to work for the Department of Veterans Affairs as a Police Officer, was promoted to Police Detective a year later, and to Criminal Investigator in 1993. While working on criminal cases at the West LA VA Medical Center, Long Beach VA Medical Center, and the Sepulveda VA Medical Center, he had a conviction rate of 90%. He retired from the VA Police Department in 1995 after re-injuring his old wound while arresting three suspects who were attempting to sell drugs on the VA hospital grounds, and he has dedicated the past several years to veterans’ causes. He is also a champion of the rights of workers, serving for several years as Union President/Business Agent of American Federation of Government Employees (AFGE), Local 1061, at all veterans’ hospitals in Southern California. He won 90% of his labor grievances with management during his term and helped to bring the Union local out of trusteeship and return it to the members.

Dennis has been a Life Member of the California Narcotic Officers Association and of AMVETS Post#2 in Culver City. He is a member of the VVA Chapter #53 in Redondo Beach, the American legion Post #46 in Culver City, the Marine Corps League of San Diego East County, the Hermosa Beach Veterans Memorial Commission, the AMVETS National Committee on Homeless Veterans, the Advisory Committee of the VA Greater Los Angeles Health Care System, and the Los Angeles County Veterans Advisory Committee. He has held elective office of the California Democratic Veterans Caucus.

He serves on the Board of New Directions, a long-term program for homeless veterans with drug and alcohol addiction with a spectacular success rate of 85%. He helped New Directions raise $5 million to restore a 60,000 sq. ft. three story building with the assistance of Congresswoman MAXINE WATERS and Senator DIANNE FEINSTEIN, and helped to guide the donation of a new state of the art kitchen by AMVETS Department of California Service Foundation.

Through his participation in these many organizations, his achievements for veterans are too numerous to mention. He helped to get Veterans Memorials beach and in Palm Springs, and wheel chair buses for the VA in West Los Angeles and for the State Veterans Home in Chula Vista. He has handed out over 4000 blankets to homeless veterans, he started a web site for California AMVETS, and helped in writing a Veteran Plank for the California Democratic Party Platform.

The Maxine Waters Award for Courage, which Dennis is receiving, is named for Congresswoman MAXINE WATERS, Representative of California’s 35th Congressional District who has been invited to attend the award ceremony. Dennis made headlines when he gave a key to Congresswoman Waters so she could make an unannounced inspection of a VA hospital locked-down psychiatric ward. The Congresswoman found the conditions deplorable, and sweeping reform took place. Dennis has shown other courageous action by walking with MAXINE WATERS and the Rev. Jesse Jackson, with the news media, from his union headquarters to the Director’s Office of the West Los Angeles VA Medical Center to hand over thousands of pages of documents to the Director showing the alleged misappropriation of funds and misuse of VA land at this Medical Center. He undertakes these courageous actions despite the fact that he has had severe heart problems.

As a Member of the House of Representatives’ Veterans’ Affairs Committee, I thank Dennis O’Dell for his dedication and for his achievements on behalf of our nation’s veterans. I am pleased to recognize Dennis O’Dell for his service to veterans and to congratulate him as the recipient of the Maxine Waters Award for Courage.
IN HONOR OF MARCUS R. HABEEB
OF NEW YORK
IN THE HOUSE OF REPRESENTATIVES
Tuesday, December 11, 2001

Mr. TOWNS. Mr. Speaker, Marcus R. Habeeb has dedicated his career path, he received a paralegal certificate from Adelphi University. Once he recognized that the law was not for him, he changed his focus and received a Finance degree from Baruch College, followed by a Master’s of Business Administration from the same institution. Over the past twenty years, Marcus has developed and broadened the scope of his expertise. Beginning in 1980, as an Account Receivable/Computer Operator, Marcus has steadily increased his responsibility and broadened his portfolio. Marcus was able to work with the bank and other creditors to recover potentially large losses. He moved from this position to Senior Vice-President for a financial institution. While there he built a small Asian bank into a very important player on Wall Street. In his next position, he expanded his scope of responsibilities yet again, as the Operations Manager for Hometrust Mortgage Bank. While there, Marcus began to focus increasingly on marketing strategies, investor relations, and home mortgages. He has used this experience, most recently, in creating his own business, P & R Funding. Finally, Marcus is able to bring together all of the knowledge that he has accrued over his twenty year journey to independence to focus on developing financing and business products for those in need.

Marcus is also the proud husband, of fifteen years to Annie, and the father of two children. Mr. Speaker, Marcus R. Habeeb has dedicated himself to business and his community. As such, he is more than worthy of receiving this recognition today and I urge my colleagues to join me in honoring this truly remarkable man.

IN HONOR OF JAMES BUTLER
OF NEW YORK
IN THE HOUSE OF REPRESENTATIVES
Tuesday, December 11, 2001

Mr. TOWNS. Mr. Speaker, I rise in honor of James Butler in recognition of his lifetime of outstanding service. Jim Butler, is the President of a 10,000 member union, Local 420 Municipal Hospital Workers Union, DC 37, AFSCME, AFL-CIO. He has had a lifelong interest in the living and working conditions of the people he represents. For over 40 years he has played a leadership role in the struggle to improve those conditions.

Since beginning his career at Local 420 as a union organizer in 1954, Butler has been a tireless fighter for better pay, health, education and other benefits for hospital employees. Gains for workers in these areas are the most obvious marks of his leadership. "I never felt better, " said former Secretary-Treasurer "than when we were able to win respect for hospital workers."

Over the last several years, Jim Butler and his local have waged a battle against threats to privatize public hospitals in New York City. The Local saw their efforts pay off with a victory in stopping the privatization of Coney Island Hospital, and the recent victory in saving Brooklyn Central Laundry, and 200 member jobs with no layoffs. Jim Butler is currently engaged in a boycott at several hospitals against the contracting out of employee cafeteria services to fast food operation such as McDonald’s and Burger King.

No less important, however, are his contributions to the community which the hospital workers serve. Butler has been the driving force behind the union’s frequent demonstrations and rallies. Under his leadership, Local 420’s political action also makes itself felt in voter education and registration drives. Annually the Local registers thousands of voters and directly involves hundreds of union members in political campaigns. The Local was a key supporter in the historic campaign to elect the first African-American Mayor of the City of New York, the Honorable David N. Dinkins.

Jim Butler has long been part of the struggle for equal opportunity for minorities within the labor movement through active membership in the Coalition of Black Trade Unionists, PUSH, NAACP, Urban League, and SCLC Labor Committees. He served on the executive board of CBTU’s New York Chapter. He also served as a member of the New York Consumer Assembly’s Board of Directors. Butler is the recipient of numerous awards and honors from civil rights, labor and community organizations, including the Labor Committee of the NAACP, the New York and Jamaica (Queens) chapters of the NAACP, the CBTU New York Regional, the Coalition of Black Union Women, Local 1733, the Coalition of Labor Union Women, New York State’s Black and Puerto Rican Caucus, the Hispanic Labor Committee, the Harlem YMCA, Queensborough Women’s Clubs, the Negro Labor Council, the Community Leadership Network, and Central Baptist Church’s honoree for Outstanding Christian Leader.

Jim Butler has been the President of Local 420 for 27 years and on August 18, 1999 he was elected as a National Vice President to the “mother union”, AFSCME. Jim resides in Astoria, Queens, NY with his wife, Eloise. Mr. Speaker, because of his dedication to helping health care workers and fighting for social justice, Jim Butler is more than worthy of receiving our recognition today and I urge my colleagues to join me in honoring this truly remarkable leader.

IN MEMORY OF BONNIE SCANLAN
OF CALIFORNIA
IN THE HOUSE OF REPRESENTATIVES
Tuesday, December 11, 2001

Mr. BECERRA. Mr. Speaker, I rise today to pay a heartfelt tribute to Bonnie Scanlan, a dear friend and civic-minded individual who worked tirelessly for the community of Echo Park in the City of Los Angeles, California. On Sunday, October 7, 2001, we lost Bonnie after a characteristically valiant fight for life following a massive heart attack. Bonnie was laid to rest Saturday, a parade at Rose Hills Cemetery in Whittier, California; we are comforted knowing that today she rests in peace.

Bonnie Scanlan was born in Brooklyn, New York on January 28, 1946. Bonnie and Leonard Gerzofsky, already parents to toddler Stan. When she was in the fifth grade her family moved to Alhambra, California. From All Souls Catholic School and San Gabriel Mission High School, Bonnie went on to graduate from Pasadana City College and then become a social worker for the County of Los Angeles.

She later married John Scanlan, together raising their three children Johanna, John and Stephan. Bonnie was a very hands-on mom, bonding with her family’s love for baseball to her boys, teaching them how to catch.

She passed on the importance of community involvement to her children, as Bonnie’s mother had to her, serving as Troop Leader during her daughter’s days in the Brownies and the Girl Scouts. Bonnie was very proud of her family, especially her grandsons Christopher and Tommy. Perhaps the only love equal to that for her family, baseball and helping others was Bonnie’s love for her ancestral homeland of Ireland.

Ownership in a Domino’s Pizza brought Bonnie to the community of Echo Park in the late 1980’s. Even though Bonnie remained a resident of the nearby city of San Gabriel, she felt that as a business owner in Echo Park she had a responsibility to the community and its people. Bonnie’s contributions are countless: helping to organize the Echo Park Pride Day, donating a monthly “Pizza Night” to the Chris Brownlie AIDS Hospice, holding a food drive at her pizza establishment every year during the holidays, feeding hungry police and firefighters during times of tragedy and crisis, and bringing the Los Angeles Philharmonic Musicmobile to the children at Mayberry School. It seems you could always count on her to support any cause that helped young people in the neighborhood and, of course, to dole out those pizzas whenever and wherever the need arose.

In 1998 Bonnie was elected President of the Echo Park Chamber of Commerce, a position she held at the time of her death. She invited the Chamber: reviving the community Holiday Parade, instituting the Jackie Finer Scholarship, starting the Echo Park business district’s “Face Lift” program, and organizing the yearly Echo Park Night at Dodger Stadium. And, yes, there were always pizzas at every event.

I feel deeply privileged to have known Bonnie. She was a trusted friend. She was blessed with a kind, honest heart. And, as all who knew her will attest, she spoke her mind. How I miss that.

On December 9, 2001, the community of Echo Park paid tribute to Bonnie Scanlan by dedicating this year’s Holiday Parade in her memory. Bonnie served posthumously as Grand Marshal with her family riding the parade, in tribute to her. Sadly the Echo Park may not realize it, but Bonnie always felt that the community did more for her than she ever did for the community.
Mr. Speaker, it is with great pride, yet profound sorrow, that I ask my colleagues to join me today in saluting Bonnie Scanlan, an exceptional human being. She left us too soon, with so much to do and so much to say. I will forever remember this beloved friend fondly.

IN HONOR OF AUDREY LEE JACOBS, MBA, JD

HON. EDOMPHUS TOWNS
OF NEW YORK
IN THE HOUSE OF REPRESENTATIVES
Tuesday, December 11, 2001

Mr. TOWNS. Mr. Speaker, I rise in honor of Audrey Lee Jacobs in recognition of her outstanding service to the community.

Audrey Lee Jacobs, MBA, JD is the President and CEO of Lyndon Baines Johnson Health Complex, Inc. In her short tenure, LBJ has made significant gains. Due in large part to Ms. Jacobs’ strong business acumen, commitment and leadership, LBJ has earned an 11% increase in patient visits and produced a profit in fiscal year 2000—the first such increases in a number of years; established financial and operational, established a staff development and training program with Medgar Evers College and Wyckoff Heights Medical Center.

This child of Brooklyn’s 10th Congressional District, having spent a number of years working throughout the United States for several of the world’s largest corporations, is pleased to have returned to serve the community in which she was born. Ms. Jacobs attended the New York City public school system, graduating from Andrew Jackson High School as one of the top students in her class. She attended Vassar College and Wyckoff Heights Medical Center.

Along the way, Ms. Jacobs developed a keen interest in business as she watched her entrepreneurial parents establish and run their own small businesses. When asked why she chose a business career, Ms. Jacobs remarked, “I have always found business to be an exciting, challenging and rewarding environment where I could use all of my talents and enjoy myself at the same time.” She began her career in marketing working for several multi-national corporations, including Mobil Oil Corporation and AT&T. In 1985, with those experiences under her belt and the desire to expand her knowledge in business, Ms. Jacobs entered one of the top business schools in the country, the University of Texas at Austin. In 1988, when she was awarded the Master in Business Administration degree from the University of Texas at Austin, LBJ has earned an 11% increase in patient visits and produced a profit in fiscal year 2000—the first such increases in a number of years; established financial and operational, established a staff development and training program with Medgar Evers College and Wyckoff Heights Medical Center.

Mr. Speaker, the life of Bonnie Scanlan was marked, chose a business career, Ms. Jacobs returned to the practice of law.

Though the years, Ms. Jacobs has been active in the alumni associations of Vassar and Columbia Law School; and she has raised funds for many community and political organizations. She has acted as a mentor to countless youth and has served as a volunteer lawyer with legal clinics representing the poor.

IN HONOR OF JEHNEL DENISE BANNISTER

HON. EDOMPHUS TOWNS
OF NEW YORK
IN THE HOUSE OF REPRESENTATIVES
Tuesday, December 11, 2001

Mr. TOWNS. Mr. Speaker, I rise in honor of Jehnel Denise Bannister in recognition of her religious commitment and service to her community.

Jehnel Denise Bannister was born on January 28, 1967. She was raised by her mother, Dolores Autry, and is the older of two children. She graduated from St. Augustine’s College in Raleigh, North Carolina, in 1989 where she received a Bachelor of Science Degree in Business Administration. Jehnel is currently employed as a Vocational/Recreational Counselor for the Project Return Foundations Women’s Day Treatment Program.

In 1991, she became a member of the New Canaan Baptist Church under the leadership of Rev. Richard J. Lawson. Jehnel is also very active in her community in many other ways; she is a member of the A.L.C. Coral Ensemble, the Putnam Avenue Block Association, and a supervisor of the Youth United in the Body of Christ (which is a body of young Christians trying to make a difference in their church and her community).

Jehnel enjoys working and making a difference in the lives of others. She believes that it is important to bridge the gap between the youth and the older members of the church.

Jehnel’s favorite scripture is “I can do all things through Christ who strengthens me”. (Philippians 4:13)

Jehnel believes that whatever God has for her is for her, so she does not worry about people and circumstances. Jehnel just continues to trust in God.

Mr. Speaker, Jehnel Denise Bannister is a young woman of faith who is committed to her church and her community. As such, I believe that she is more than worthy of receiving our recognition today. I urge my colleagues to join me in honoring this truly spiritual woman.

TRIBUTE TO KENNETH R. KNOX OF GRAND TRUNK WESTERN RAILROAD AND CANADIAN NATIONAL RAILWAYS

HON. DAVID E. BONIOR
OF MICHIGAN
IN THE HOUSE OF REPRESENTATIVES
Wednesday, December 12, 2001

Mr. BONIOR. Mr. Speaker, today I rise to recognize Mr. Kenneth R. Knox upon his retirement from the rail industry after 36 years of service to the Grand Trunk Western Railroad and Canadian National Railways. It is truly an honor to thank Mr. Knox for 36 years of hard work and devotion to the railroad industry.

Beginning his career in the railroad industry as a Yard Helper with Grand Trunk Western Railroad in 1965, Mr. Knox immediately began rising up the ladder because of his well-founded knowledge and expertise. Ever misunderstood, the rail industry in the United States is one of the most important vehicles of U.S. commerce and is the remaining connection between our glorious industrial past and the future of industry in America. Our railways are a symbol of American freedom and prosperity to the hard-working men and women that staff and serve this important part of American society.

During his time in the railroad industry, Mr. Knox served also as Yardmaster, Assistant Trainmaster, Trainmaster, Terminal Manager, District Manager, Superintendent Agreement Administration, Manager of Labor Relations, up to his service as Manager of Operations for the Crew Management Center/Rail Traffic Control. Always dedicated to his job, Mr. Knox is well-liked and respected among all segments of the rail industry, especially by coworkers, upon his retirement he will be missed not only because of his friendship with fellow workers, but also because of the knowledge and expertise he brings to work with him every day. His colleagues and I must truly respect the imprint he has left behind.

In addition to his dedication to the railroad industry, his dedication to family and friends and his region is second to none, I wish to thank Mr. Kenneth Knox for his 36 years of toil and sweat in the rail industry, and I ask that my colleagues join me in wishing Mr. Knox a happy and healthy retirement.

COMMEMDING THE CONTRIBUTION OF WESTFIELD WORKS WONDERS

HON. JAMES H. MALONEY
OF CONNECTICUT
IN THE HOUSE OF REPRESENTATIVES
Wednesday, December 12, 2001

Mr. MALONEY of Connecticut. Mr. Speaker, it is an honor to bring to the attention of the House of Representatives and the American people an event that will raise money for schools, hospitals and charities in Connecticut. The Westfield Works Wonders charity event took place on November 18, 2001 with the goal of raising $400,000. This annual event has raised over $1.2 million since its inception four years ago. An event of this magnitude is possible through the cooperation of the four Westfield Shoppingtowns in Enfield, Meriden, Trumbull and Milford. These malls join forces for the event by extending their hours of operation and Milford. These malls join forces for the event by extending their hours of operation and by offering special sales and deals. The event is an opportunity for the Westfield Works Works Wonders event for the wonderful contributions
Mr. UDALL of New Mexico. Mr. Speaker, I rise today in strong support of H.R. 3347, the Department of Veterans Affairs Health Care Programs Enhancement Act of 2001. This important legislation makes changes to and additions of several important health benefits for our Nation’s veterans.

I would like to thank the Chairman and Ranking Member of the Veterans’ Affairs Committee, Mr. SMITH and Mr. EVANS, and the Chairman and Ranking Member of the Health Subcommittee Mr. MORAN and Mr. FILNER, and my colleagues on the Committee for their work on this bill.

Although there are several important health benefit enhancements in this bill, I would like to speak specifically about the provisions regarding VA nurse retention and recruitment, which are taken from a bill that Representatives SUE KELLY, CAROLYN MCCARTHY, MIKE DOYLE, and I introduced on October 3, 2001.

The legislation we introduced, H.R. 3017 the Department of Veterans Affairs Nurse Recruitment and Retention Enhancement Act of 2001, is companion legislation to S. 1188, which was introduced by Senator JAY ROCKEFELLER on July 17, 2001.

S. 1188, H.R. 3017, and now the provisions in H.R. 3347 seek to address the current nursing shortage in the VA health care system, and to ensure that the shortage is not exacerbated.

The provisions in H.R. 3347 modify existing scholarship and debt reduction programs for VA nurses, requires the VA to establish staffing standards at VA health care facilities, makes pay more consistent for various VA health professionals, and rectifies unequal retirement policies to improve retention of nurses in the VA health care system.

This legislation also requires the VA to report to the Committee on Veterans’ Affairs regarding VA nursing issues, including the use of overtime by licensed nursing staff and nursing assistants in each facility in order to help determine what can be done to reduce the amount of mandatory overtime.

This legislation is a critical step in addressing the nursing shortage in the VA health care system. I urge my colleagues to support H.R. 3347 and support our VA nurses and health care system, as well as the men and women who have fought for our country and now receive care at these facilities.

TRIBUTE TO CENTRAL ELEMENTARY SCHOOL

HON. HAROLD ROGERS
OF KENTUCKY
IN THE HOUSE OF REPRESENTATIVES

Mr. ROGERS of Kentucky. Mr. Speaker, today I want to recognize, and offer my congratulations to, Central Elementary School, located in Paintsville, Kentucky. Earlier this year, students from Central Elementary participated in the national We the People * * * Project Citizen competition in San Antonio, Texas and were awarded honorable mention for their project, Speed Limit Signs. I was very gratified to learn that they were such a dedicated group of students, and I want to take this time to congratulate the teachers and students of Central Elementary affiliated with this program.

They are: Paula Goss, Annette Rouse, Brooke Bergeron, Katie Borders, Kalyia Brachett, Chelsea Burchett, Shaina Kestner, Matthew Oney, Zac Sergent, Brittany Skaggs, Jasmine Watson, Chelsea Webb, and David Zittelberger.

Project Citizen is a valuable program and I support it. Administered by the Center for Civic Education and funded through the Department of Education, Project Citizen is designed to engage public school students and their teachers and parents in important public policy issues. During competitions, students select an issue, study its affect on local communities, and share their findings. Schools invited to participate at the national conference won their state competitions.

Mr. Speaker, civic education and participation in the democratic process is vital to the stability of our Nation, and we must encourage people of all age groups, especially young students, to assume a role in local, state, and federal affairs. We the People * * * Project Citizen fosters this, and I hope the more schools will decide to participate in this program. Again, I want to congratulate the students and teachers of Central Elementary. They and all participants deserve our thanks and respect.

PERSONAL EXPLANATION

HON. TERRY EVERETT
OF ALABAMA
IN THE HOUSE OF REPRESENTATIVES

Mr. EVERETT. Mr. Speaker, last Thursday, family illness necessitated my return to Alabama. Thus, I was unable to vote during roll call No. 482 (On Agreeing to the Conference Report for the District of Columbia Appropriations for Fiscal Year 2001, HR 2944). Had I been present, I would have voted “no.”

TRIBUTE TO THE MICHIGAN CHRONICLE 65TH ANNIVERSARY

HON. DAVID E. BONIOR
OF MICHIGAN
IN THE HOUSE OF REPRESENTATIVES

Mr. BONIOR. Mr. Speaker, today I rise to recognize the Michigan Chronicle, which celebrated its 65th Anniversary on February 21, 2001. Truly a milestone occasion, 2001 marks 65 years of outstanding commitment to its readership and dedicated journalism.

Pioneered from the Detroit edition of the famous Chicago Defender, the Michigan Chronicle has come a long way since it began publishing in 1936. The paper, now seen by many as respectable journalism, was building interest in the community and became known as “the colored paper.” Soon after, paid subscriptions grew to 15,000 in 1940, 25,000 in 1944, and to today’s readership of 47,000. In 1984, Sam Logan was named Vice President and General Manager of the Michigan Chronicle.

His ingenuity took the paper to new heights, moving the paper to the four color format and computer-based journalism. Longworth Quinn became the General Manager in 1944, and eventually was promoted to publisher of the ever-growing Michigan Chronicle. He dedicated his life to the paper and the communities it represents and informs, training young journalists to follow in his footsteps. He served at the helm for 42 years until his passing. This year, the Longworth M. Quinn Community Service Award will be presented to an individual in the Detroit Metro area that embodies Mr. Quinn’s commitment to community, diversity, and serving the public through volunteerism.

Dedicated to helping promising scholars, the Michigan Chronicle will also be a proud sponsor of the John H.H. Sengstacke Scholarship Award. This award will be given to an outstanding high school student in Wayne, Oakland, or Macomb County to help in the pursuit of journalism degree.

Today the Michigan Chronicle is making new headway under publisher Alisa M. Giddens. I believe she has the vision to expand readership, help end racial prejudice, and provide true public service through journalism to the African-American communities in Michigan. I ask that all my colleagues join me in celebrating the Michigan Chronicle’s 65 years of journalistic excellence.

PAYING TRIBUTE TO DIANA STOUT

HON. MIKE ROGERS
OF MICHIGAN
IN THE HOUSE OF REPRESENTATIVES

Mr. ROGERS of Michigan. Mr. Speaker, I rise today to pay tribute to Ms. Diana Stout of Charlotte, West Virginia for being elected the National President of the Ladies Auxiliary to the Veterans of Foreign Wars.

Since 1914, the Ladies Auxiliary VFW represents the families of those who have sacrificed for our country. The organization fosters our American heritage by conducting an annual patriotic ceremony, providing financial assistance for the preservation of this nation’s most treasured symbol of freedom, the Statue of Liberty.

In her acceptance speech, Ms. Stout introduced her theme, Liberty and Justice for All, which is derived from her background in law and one of the Auxiliary’s main objects, to maintain and extend the institutions of American freedom and equal rights and justice to all men and women.
During her 2001–02 term office, Ms. Stout will be advocating the programs of the Ladies Auxiliary, including the raising of $3 million for the Auxiliary Cancer Aid and Research program for the 14th consecutive year, assisting veterans and their families and volunteering in our communities.

As a charter Member of the Sperry-Davis Auxiliary to VFW Post 9151 of Salem, West Virginia she joined on the eligibility of her father, Thair Stout, who served in World War II. Stout was named Outstanding State President when she served in that capacity in 1986–87 and has served a total of seven terms as Auxiliary President and two terms as District President.

Stout was appointed to serve as State Secretary for three years and was elected to represent West Virginia and Virginia on the National Council of Administration. She was national chairman for the Southern Conference on the Publicity and Legislative programs and in 1988–89 she served as National Legislative Director.

After working as a secondary school mathematics teacher, she decided to attend West Virginia University College of Law and is currently employed as the General Counsel of the Treasurer’s Office for the State of West Virginia. She belongs to the American Bar Association, the West Virginia Bar Association, the National Association of Bond Lawyers, and the Laudati Honor Society.

Therefore Mr. Speaker, I respectfully ask my colleagues to join me in paying tribute to Ms. Diana Stout for her election of National President of the Ladies Auxiliary to the Veterans of Foreign Wars.

IN HONOR OF DENISE PETERSON-PENDARVIS

HON. EDOLPHUS TOWNS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 12, 2001

Mr. TOWNS. Mr. Speaker, I rise in honor of Denise Peterson-Pendarvis in recognition of her long term commitment to her community. Denise Peterson-Pendarvis attended New York City Public Schools, namely P.S. 287, P.S. 307, Junior High School 265 and Fort Hamilton High School. Later, Ms. Peterson-Pendarvis obtained a Bachelor’s of Science Degree in Criminal Justice from John Jay College of Criminal Justice. In 1992, she received her Juris Doctor Degree from Seton Hall Law School in Newark, NJ.

Ms. Peterson-Pendarvis is currently a Government Relations Liaison at KeySpan Corporation. In this position she represents the corporation in its work with federal, state, and local governments. Prior to joining KeySpan, she worked for the New York City Board of Education as a Special Education Suspension Hearing Officer. She also worked as a Court Attorney for the late Civil Court Judge Ralph Sparks, Judge Kathryn Smith and the Pro Se Attorney at Bronx County Landlord/Tenant Court. Ms. Peterson-Pendarvis also worked for many years as an assistant in my office.

In addition, to her full-time job, Ms. Peterson-Pendarvis is the President of the Board of Directors of Ryerson Towers where she has resided for the past twenty years. She is responsible for inter alia, overseeing operations and management of the $5 million corporation. She serves as Secretary on the Board of Directors of the Marcus Garvey Nursing Home; and recently joined the Board of Directors of the Lyndon Baines Johnson Health Complex. She is also a board member of the Clinton Hill Consortium of Homeowners Inc. a newly formed organization that advances the concerns of the cooperators of the Clinton Hill/Fort Greene area.

In 1978, Ms. Peterson-Pendarvis became interested in “politics” and its relationship to the community. Since that time, she has coordinated numerous successful campaigns for all levels of elective office. Denise has proven leadership, organizational, and advocacy skills. She is constantly assisting those who may be less fortunate. She remains aware of where she came from and appreciates those who supported and guided her along the way.

Mr. Speaker, Denise Peterson-Pendarvis is a tireless worker and community leader. As such, she is more than worthy of receiving our recognition today. I urge my colleagues to join me in honoring this truly remarkable woman.

RECOGNIZING THE CONTRIBUTION OF CONNECTICUT’S FIREFIGHTERS

HON. JAMES H. MALONEY

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 12, 2001

Mr. MALONEY of Connecticut. Mr. Speaker, it is an honor to bring to the attention of the House of Representatives and the American people the names of a few of the many firefighters that risked their lives to rescue victims during the attacks of September 11. I would like to take this opportunity to recognize the bravery of these individuals.

John P. Bolton served as a firefighter for the United States Military Academy for four years and is an eleven-year veteran of the Danbury Volunteer Fire Department, Engine 9. Firefighter Bolton spent four days doing search and rescue at the World Trade Center. He helped save two New York City firefighters who were trapped in the Towers. Firefighter Bolton suffered injuries as a result of his selfless actions.

Fritz Ludwig and Eric Masters are five-year veterans of the Southbury Volunteer Fire Department. Firefighter Ludwig and Firefighter Masters participated in search and rescue efforts in the following days after the attacks. They helped rescue two New York City firefighters that were trapped in the collapsed Towers.

The following members of the Danbury Volunteer Fire Department went beyond the call of duty during the terrorist attacks at the World Trade Center the week of September 11, 2001. They all performed search and rescue in a hostile and dangerous environment: Karl Leach is a seventeen-year veteran and member of Engine 10; Doug Evans is a ten-year veteran and member of Engine 10; Don Fredericks is an eight-year veteran and member of Engine 10; Jodie Gomez is a three-year veteran and member of Engine 10; Rob Natalie is a three-year veteran and member of Engine 10; Scott Warner is a two-year veteran and member of Engine 10; Mark Medeiros is a four-year veteran and member of Engine 9; Jeffrey Matson is an eleven-year veteran and member of Engine 9; Christine Collia is an eight-year veteran and member of Engine 9, and Glen Lake is a four-year veteran and member of Engine 9.

On behalf of the people of Connecticut’s 5th District, I wish to express my deepest thanks to these heroic individuals. The contributions they made to our community and country at the risk of their own peril cannot be measured.
HIGHLIGHTS


The House passed H.R. 3295, Help America Vote Act.

Senate

Chamber Action

Routine Proceedings, pages S12989–S13078

Measures Introduced: Seven bills were introduced, as follows: S. 1808–S. 1814.

Measures Reported:

H.R. 3167, to endorse the vision of further enlargement of the NATO Alliance articulated by President George W. Bush on June 15, 2001, and by former President William J. Clinton on October 22, 1996.

S. 1762, to amend the Higher Education Act of 1965 to establish fixed interest rates for student and parent borrowers, to extend current law with respect to special allowances for lenders.

S. 1793, to provide the Secretary of Education with specific waiver authority to respond to conditions in the national emergency declared by the President on September 14, 2001.

S. Con. Res. 86, expressing the sense of Congress that women from all ethnic groups in Afghanistan should participate in the economic and political reconstruction of Afghanistan.

S. Con. Res. 90, expressing the sense of the Congress regarding the efforts of people of the United States of Korean ancestry to reunite with their family members in North Korea.


Measures Passed:

Mental Health Assistance: Senate passed S. 1729, to provide assistance with respect to the mental health needs of individuals affected by the terrorist attacks of September 11, 2001, after agreeing to the following amendment proposed thereto:

Reid (for Kennedy) Amendment No. 2503, in the nature of a substitute. Pages S13076–77

Electronic Health Care Transaction Compliance: Senate passed H.R. 3323, to ensure that covered entities comply with the standards for electronic health care transactions and code sets adopted under part C of title XI of the Social Security Act, clearing the measure for the President. Pages S13077–78

Children Pharmaceuticals Safety Improvement: Senate passed S. 1789, to amend the Federal Food, Drug, and Cosmetic Act to improve the safety and efficacy of pharmaceuticals for children. Pages S13070–76

Tuberous Sclerosis: Committee on Health, Education, Labor and Pensions was discharged from further consideration of H. Con. Res. 25, expressing the sense of the Congress regarding tuberous sclerosis, and the resolution was then agreed to. Page S13078

District of Columbia College Access Act Technical Corrections Act: Senate passed H.R. 1499, to amend the District of Columbia College Access Act of 1999 to permit individuals who enroll in an institution of higher education more than 3 years after graduating from a secondary school and individuals who attend private historically black colleges and universities nationwide to participate in the tuition assistance programs under such Act, after agreeing to a committee amendment in the nature of a substitute, and the following amendment proposed thereto:

Reid (for Lieberman) Amendment No. 2515, to clarify the intended inclusion of certain individuals. Page S13078

Federal Farm Bill: Senate continued consideration of S. 1731, to strengthen the safety net for agricultural producers, to enhance resource conservation and rural development, to provide for farm credit, agricultural research, nutrition, and related programs, to
ensure consumers abundant food and fiber, taking action on the following amendments proposed there- to:

Adopted:

Domenici Modified Amendment No. 2502 (to Amendment No. 2471), to require the Secretary of Agriculture to obtain written consent from each State’s Governor prior to implementation of the water conservation program. Pages S13020–34

Rejected:

Lugar/Domenici Amendment No. 2473 (to Amendment No. 2471), of a perfecting nature. (By 70 yeas to 30 nays (Vote No. 363), Senate tabled the Amendment.) Pages S12990–95

Gregg/Lugar Amendment No. 2466 (to Amendment No. 2472), to phase out the sugar program and use any resulting savings to improve nutrition assistance. (By 71 yeas to 29 nays (Vote No. 364), Senate tabled the Amendment.) Pages S13001–20

Withdrawn:

Daschle/Lugar Amendment No. 2511, to direct the Secretary of Agriculture to establish within the Department of Agriculture the position of Assistant Secretary of Agriculture for Civil Rights. Pages S13037–38

Subsequently, Craig Amendment No. 2512 (to Amendment No. 2511), to add provisions regarding nominations, fell when Daschle Amendment No. 2511 (listed above) was withdrawn. Pages S13038

Pending:

Daschle (for Harkin) Amendment No. 2471, in the nature of a substitute. Pages S12990–96, S13000–41

Bond Amendment No. 2513 (to Amendment No. 2471), to authorize the Secretary of Agriculture to review Federal agency actions affecting agricultural producers. Page S13039

A unanimous-consent-time agreement was reached providing for further consideration of the bill at 9:30 a.m., on Thursday, December 13, 2001, with a vote in relation to Bond Amendment No. 2513 (to Amendment No. 2471) (listed above) to occur at approximately 11 a.m. Page S13039

A motion was entered to close further debate on Daschle (for Harkin) Amendment No. 2471 (listed above), in accordance with Rule XXII of the Standing Rules of the Senate. Pages S13039–40

Authoritative Communicating:

Pages S13047–48

Executive Reports of Committees:

Pages S13048

Executive Reports of Committees:

Pages S13049–51

Additional Cosponsors:

Pages S13051–52

Statements on Introduced Bills/Resolutions:

Pages S13052–57

Additional Statements:

Pages S13045–46

Amendments Submitted:

Pages S13057–69

Authority for Committees to Meet:

Pages S13069–70

Privilege of the Floor:

Page S13070

Record Votes: Two record votes were taken today. (Total—364) Pages S12995, S13020

Adjournment: Senate met at 9:30 a.m., and adjourned at 7:51 p.m., until 9:30 a.m., on Thursday, December 13, 2001. (For Senate’s program, see the remarks of the Acting Majority Leader in today’s Record on page S13078.)

Committee Meetings

(Committees not listed did not meet)

MILITARY COMMISSIONS’ NON-CITIZEN TREATMENT

Committee on Armed Services: Committee held hearings to examine the Department of Defense implementation of the President’s Military Order on the detention, treatment, and trial by military commissions of certain non-citizens in the war on terrorism, receiving testimony from Paul D. Wolfowitz, Deputy Secretary, and William J. Haynes II, General Counsel, both of the Department of Defense.

Hearing recessed subject to call.

NOMINATIONS

Committee on Energy and Natural Resources: Committee ordered favorably reported the nominations of Harold Craig Manson, of California, to be Assistant Secretary for Fish and Wildlife, Kathleen Burton Clarke, of Utah, to be Director of the Bureau of Land Management, Jeffrey D. Jarrett, of Pennsylvania, to be Director of the Office of Surface Mining Reclamation and Enforcement, and Rebecca W. Watson, of Montana, to be Assistant Secretary for Land and Minerals Management, all of the Department of the Interior, and Michael Smith, of Oklahoma, to be Assistant Secretary for Fossil Energy, Margaret S.Y. Chu, of New Mexico, to be Director of the Office of Civilian Radioactive Waste Management, and Beverly Cook, of Idaho, to be Assistant Secretary for Environment, Safety and Health, all of the Department of Energy.

BUSINESS MEETING

Committee on Finance: Committee began markup of H.R. 3005 to extend trade authorities procedures with respect to reciprocal trade agreements, but did not complete action thereon, and will meet again tomorrow.
BUSINESS MEETING

Committee on Foreign Relations: Committee ordered favorably reported the following business items:

Treaty between the Government of the United States of America and the Russian Federation on Mutual Legal Assistance in Criminal Matters, signed at Moscow on June 17, 1999, (Treaty Doc. 106–22) with three conditions;

S. 1779, to authorize the establishment of “Radio Free Afghanistan”, with an amendment;

H. R. 3167, to endorse the vision of further enlargement of the NATO Alliance articulated by President George W. Bush on June 15, 2001, and by former President William J. Clinton on October 22, 1996;

S. Con. Res. 86, expressing the sense of Congress that women from all ethnic groups in Afghanistan should participate in the economic and political reconstruction of Afghanistan;

S. Con. Res. 90, expressing the sense of the Congress regarding the efforts of people of the United States of Korean ancestry to reunite with their family members in North Korea;


H. Con. Res. 211, commending Daw Aung San Suu Kyi on the 10th anniversary of her receiving the Nobel Peace Prize and expressing the sense of the Congress with respect to the Government of Burma, with an amendment in the nature of a substitute; and

The nominations of William R. Brownfield, of Texas, to be Ambassador to the Republic of Chile, John V. Hanford III, of Virginia, to be Ambassador at Large for International Religious Freedom, Donna Jean Hrinak, of Virginia, to be Ambassador to the Federative Republic of Brazil, James David McGee, of Florida, to be Ambassador to the Kingdom of Swaziland, Kenneth P. Moorefield, of Florida, to serve concurrently and without additional compensation as Ambassador to the Democratic Republic of Sao Tome and Principe and the Gabonese Republic, John D. Ong, of Ohio, to be Ambassador to Norway, Earl Norfleet Phillips, Jr., of North Carolina, to be Ambassador to Barbados, and to serve concurrently and without additional compensation as Ambassador to St. Kitts and Nevis, Saint Lucia, Antigua and Barbuda, the Commonwealth of Dominica, Grenada, and Saint Vincent and the Grenadines, John Price, of Utah, to be Ambassador to the Republic of Mauritius, and to serve concurrently and without additional compensation as Ambassador to the Federal and Islamic Republic of The Comoros and Ambassador to the Republic of the Philippines and to serve concurrently and without additional compensation as Ambassador to the Republic of Palau, Charles S. Shapiro, of Georgia, to be Ambassador to the Bolivarian Republic of Venezuela, Arthur E. Dewey, of Maryland, to be Assistant Secretary of State for Population, Refugees, and Migration, Adolfo A. Franco, of Virginia, to be Assistant Administrator for Latin America and the Caribbean, Frederick W. Schieck, of Virginia, to be Deputy Administrator, and Roger P. Winter, of Maryland, to be Assistant Administrator for Democracy, Conflict, and Humanitarian Assistance, all of the United States Agency for International Development, Gaddi H. Vasquez, of California, to be Director, and Josephine K. Olsen, of Maryland, to be Deputy Director, both of the Peace Corps, Jorge L. Arrizurieta, of Florida, to be United States Alternate Executive Director of the Inter-American Development Bank, and certain Foreign Service Officer promotion lists.

MICROSOFT SETTLEMENT

Committee on the Judiciary: Committee held hearings to examine the status of the still-pending antitrust enforcement action against the Microsoft Corporation by the Department of Justice, eighteen States, and the District of Columbia, and the negotiations and proposed final judgment embodying the settlement, receiving testimony from Charles A. James, Assistant Attorney General, Antitrust Division, Department of Justice.

Hearings recessed subject to call.
House of Representatives

Chamber Action

Measures Introduced: 1 resolution, H. Con. Res. 78, was introduced. Page H9772

Reports Filed: Reports were filed today as follows:
Conference report on S. 1438, to authorize appropriations for fiscal year 2002 for military activities of the Department of Defense, for military constructions, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces (H. Rept. 107–333). Pages H9333–H9751, H9772

Guest Chaplain: The prayer was offered by Rabbi Peter J. Rubinstein, Central Synagogue of New York City. Page H9241

Journal: Agreed to the Speaker’s approval of the Journal of Dec. 11 by a yea-and-nay vote of 356 yeas to 44 nays with 1 voting “present”, Roll No. 486. Pages H9241, H9242

United States Military Academy Board of Visitors: The Chair announced the Speaker’s appointment of Representative Hinchey to the Board of Visitors of the United States Military Academy. Page H9246

Intelligence Authorization Conference Report: The House agreed to the conference report on H.R. 2883, to authorize appropriations for fiscal year 2002 for intelligence and intelligence-related activities of the United States Government, the Community Management Account and the Central Intelligence Agency Retirement and Disability System. Pages H9247–54

Earlier the House agreed to H. Res. 312, the rule that waived points of order against the conference report by voice vote. Pages H9246–47

Help America Vote Act: The House passed H.R. 3295, to establish a program to provide funds to States to replace punch card voting systems, to establish the Election Assistance Commission to assist in the administration of Federal elections and to otherwise provide assistance with the administration of certain Federal election laws and programs, to establish minimum election administration standards for States and units of local government with responsibility for the administration of Federal elections by a yea-and-nay vote of 362 yeas to 65 nays, Roll No. 489. Pages H9264–H9308

Rejected the Menendez motion to recommit the bill to the Committee on House Administration with instructions to report it back with amendments that deal with voter eligibility, provisions for individuals with disabilities, alternative language accessibility, ballot verification, and enforcement by the Attorney General by a yea-and-nay vote of 197 yeas to 226 nays, Roll No. 488. Pages H9302–08

Pursuant to the rule, the amendment in the nature of a substitute recommended by the Committee on House Administration now printed in the bill, H. Rept. 107–329, Part I, and modified by the amendment printed in the report to accompany the rule, H. Rept. 107–331, were considered as adopted. Page H9276

Agreed to H. Res. 311 the rule that provided for consideration of the bill by a yea-and-nay vote of 223 yeas to 193 nays, Roll No. 487. Pages H9254–64

Suspensions: The House agreed to suspend the rules and pass the following measures that were debated on Dec. 11, 2001:

Keeping the Social Security Promise Initiative: H. Con. Res. 282, expressing the sense of Congress that the Social Security promise should be kept. Agreed to by a yea-and-nay vote of 415 yeas to 5 nays, Roll No. 488; Pages H9308–09

Anti-Hoax Terrorism Act: H.R. 3209, amended, to amend title 18, United States Code, with respect to false communications about certain criminal violations. Agreed to by a yea-and-nay vote of 423 yeas with none voting “nay”, Roll No. 489; and Pages H9309–10

Public Health Service and Bioterrorism Response Act: H.R. 3448, to improve the ability of the United States to prevent, prepare for, and respond to bioterrorism and other public health emergencies. Agreed to by a yea-and-nay vote of 418 yeas to 2 nay, Roll No. 491. Pages H9310–11

Community Recognition Act of 2001—Corrections Calendar: On the call of the corrections calendar, the House passed H.R. 1022, to amend title 4, United States Code, to make sure the rules of etiquette for flying the flag of the United States do not preclude the flying of flags at half mast when ordered by city and local officials by a yea-and-nay vote of 420 yeas with none voting “nay,” Roll No.
490. The bill was debated and amended on Tuesday, Dec. 11.

Department of Defense Appropriations—Go to Conference: The House disagreed with the Senate amendment to H.R. 3338, making appropriations for the Department of Defense for the fiscal year ending September 30, 2002, and agreed to a conference.

Appointed as conferees for consideration of Division A of the House bill and Division A of the Senate amendment, and modifications committed in conference: Chairman Young of Florida and Representatives Lewis of California, Skeen, Hobson, Bonilla, Nethercutt, Cunningham, Frelighuyzen, Tiahrt, Obey, Murtha, Dicks, Sabo, Visclosky, and Moran of Virginia. For consideration of all other matters of the House bill and all other matters of the Senate amendment, and modifications committed to conference: Chairman Young of Florida and Representatives Lewis of California and Obey.

Agreed to the Obey motion to instruct conferees to insist on the maximum levels within the scope of conference for defense, homeland security, and local recovery efforts from the terrorist attacks of September 11, 2001 by a yea-and-nay vote of 370 yeas to 44 nays, Roll No. 496.

Agreed to close conference committee meetings when classified national security information is under consideration by a yea-and-nay vote of 407 yeas with none voting “nay,” Roll No. 495.

Consideration of Joint Resolution Making Further Continuing Appropriations: Agreed that it be in order at any time without intervention of any point of order to consider in the House, H.J. Res 78, making further continuing appropriations for the fiscal year 2002; that it be considered read and debatable for one hour equally divided and controlled by the chairman and ranking minority member of the Committee on Appropriations; and the previous question shall be considered as ordered to final passage without intervening motion except one motion to recommit.

Recess: The House recessed at 10:46 a.m. and will reconvene at approximately 7 a.m. on Thursday, Dec. 13.

Quorum Calls—Votes: Ten yea-and-nay votes developed during the proceedings of the House today and appear on pages H9242, H9263, H9307–08, H9308, H9309, H9309–10, H9310, H9310–11, H9318, and H9319. There were no quorum calls.

Adjournment: The House met at 10 a.m. and at 10:46 p.m. stands in recess until about 7 a.m. on Thursday, Dec. 13.

Committee Meetings

ENERGY POLICY ACT AMENDMENTS

ELECTRIC SUPPLY AND TRANSMISSION ACT
Committee on Energy and Commerce: Subcommittee on Energy and Air Quality held a hearing on H.R. 3406, Electric Supply and Transmission Act of 2001. Testimony was heard from the following officials of the Department of Energy: Francis Blake, Deputy Secretary; Patrick Wood, Chairman; Linda K. Breathitt, Nora Mead-Brownell, and William L. Massey, all Commissioners; and Glenn L. McCullough, Jr., Chairman TVA.

Hearings continue tomorrow.

ENRON COLLAPSE

NATIONAL VACCINE INJURY COMPENSATION PROGRAM
Committee on Government Reform: Held a hearing on “The National Vaccine Injury Compensation Program: Is It Working as Congress Intended?—Part II.” Testimony was heard from Thomas Balbier, Director, Vaccine Injury Compensation Program, Department of Health and Human Services; the following officials of the National Vaccine Injury Compensation Program, Department of Justice: John
Euler, Director, and Paul Harris, Sr., Deputy Director; and public witnesses.

MISCELLANEOUS MEASURES


The Committee also favorably considered the following resolution and adopted a motion urging the Chairman to request that it be considered on the Suspension Calendar: H. Con. Res. 273, reaffirming the special relationship between the United States and the Republic of the Philippines.

SOUTHEAST ASIA AFTER 9/11

Committee on International Relations: Subcommittee on East Asia and the Pacific held a hearing on Southeast Asia after 9/11: Regional Trends and U.S. Interests. Testimony was heard from public witnesses.

DIGITAL MILLENNIUM COPYRIGHT ACT SECTION 104 REPORT

Committee on the Judiciary: Subcommittee on Courts, the Internet and Intellectual Property held an oversight hearing on “The Digital Millennium Copyright Act Section 104 Report.” Testimony was heard from Marybeth Peters, Register of Copyrights, Library of Congress; and public witnesses.

Hearings continue tomorrow.

MISCELLANEOUS MEASURES

Committee on Science: Subcommittee on Environment, Technology and Standards approved for full Committee action, as amended, the following bills: H.R. 2733, Enterprise Integration Act of 2001; and H.R. 2486, Tropical Cyclone Inland Forecasting Improvement and Warning System Development Act of 2001.

ESTABLISH REGIONAL PLANT GENOME AND GENE EXPRESSION RESEARCH AND DEVELOPMENT CENTER

Committee on Science: Subcommittee on Research approved for full Committee action, as amended, H.R. 2051, to provide for the establishment of regional plant genome and gene expression research and development center.

SAN DIEGO-TIJUANA BORDER—ADDRESSING SEWAGE TREATMENT

Committee on Transportation and Infrastructure: Subcommittee on Water Resources and Environment held a hearing on Addressing Sewage Treatment in the San Diego-Tijuana Border Region: Implementation or Title VIII of Public Law 106–457. Testimony was heard from Representative Hunter; John R. Dawson, Director, Office of Mexican Affairs, Department of State; Carlos M. Ramirez, Commissioner, United States Section, International Boundary and Water Commission, United States and Mexico; and public witnesses.

Joint Meetings

HUMAN RIGHTS IN KYRGYZSTAN


COMMITTEE MEETINGS FOR THURSDAY, DECEMBER 13, 2001

(Committee meetings are open unless otherwise indicated)

Senate

Committee on Armed Services: Subcommittee on Strategic, to hold hearings to examine the security of U.S. nuclear weapons and nuclear weapons facilities, to be followed by closed hearings (in Room SR–232A), 2:30 p.m., SR–222.

Committee on Banking, Housing, and Urban Affairs: to hold hearings to examine housing and community development needs in America, 10 a.m., SD–538.

Committee on Foreign Relations: Subcommittee on Central Asia and South Caucasus, to hold hearings to examine contributions of central Asian nations to the campaign against terrorism, 3 p.m., SD–419.

Committee on Governmental Affairs: to hold hearings to examine security of the passenger and transit rail infrastructure, 9 a.m., SD–342.

Select Committee on Intelligence: closed business meeting to consider pending intelligence matters, 3:30 p.m., S–407, Capitol.
Committee on the Judiciary: business meeting to consider pending calendar business, 10 a.m., SD–226.

Subcommittee on Technology, Terrorism, and Government Information, to hold hearings to examine the protection of our homeland against terror, focusing on a new national guard for the 21st century, 2 p.m., SD–226.

House


Committee on Government Reform, hearing on “The FBI’s Handling of Confidential Informants in Boston: Will the Justice Department Comply with Congressional Subpoenas?” 10 a.m., 2154 Rayburn.

Committee on the Judiciary, Subcommittee on Courts, the Internet and Intellectual Property, to continue oversight hearings on “The Digital Millennium Copyright Act Section 104 Report,” 10 a.m., 2141 Rayburn.

Committee on Resources, Subcommittee on National Parks, Recreation and Public Lands, hearing on the following bills: H.R. 2109, to authorize the Secretary of the Interior to conduct a special resource study of Virginia Key Beach, Florida, for possible inclusion in the National Park System; H.R. 2748, National War Permanent Tribute Historical Database Act; H.R. 3421, Yosemite National Park Educational Facilities Improvement Act; and H.R. 3425, to direct the Secretary of the Interior to study the suitability and feasibility of establishing Highway 49 in California, known as the “Golden Chain Highway”, as a National Heritage Corridor, 10 a.m., 1334 Longworth.

Committee on Transportation and Infrastructure, Subcommittee on Aviation, to mark up H.R. 3347, General Aviation Industry Reparations Act of 2001, 10 a.m., 2167 Rayburn.

Committee on Veterans’ Affairs, hearing and markup of H.R. 3423, to amend title 38, United States Code, to enact into law eligibility of certain veterans and their dependents for burial in Arlington National Cemetery, 10 a.m., and 2 p.m., 334 Cannon.
Next Meeting of the SENATE
9:30 a.m., Thursday, December 13

Program for Thursday: Senate will continue consideration of S. 1731, Federal Farm Bill, with a vote in relation to Bond Amendment No. 2513 (to Amendment No. 2471) to occur at approximately 11 a.m.

Next Meeting of the HOUSE OF REPRESENTATIVES
10 a.m., Thursday, December 13

Program for Thursday: Consideration of H.J. Res. 78, making further continuing appropriations (unanimous consent, one hour of debate);
Conference report on S. 1438, National Defense Authorization Act for Fiscal Year 2002 (subject to a rule);
Consideration of a resolution providing for motions to suspend the rules on Dec. 19; and
Consideration of the conference report on H.R. 1, No Child Left Behind Act (subject to a rule).

Extensions of Remarks, as inserted in this issue

HOUSE
Bonior, David E., Mich., E2249, E2250, E2252
Gutierrez, Luis V., Ill., E2249
Israel, Steve, N.Y., E2249
Kennedy, Patrick J., R.I., E2249
Nussle, Jim, Iowa, E2252
Otter, C.L. "Butch", Idaho, E2251
Quinn, Jack, N.Y., E2253
Roemer, Tim, Ind., E2252
Weldon, Dave, Fla., E2250
Woolsey, Lynn C., Calif., E2251

(House proceedings for today will be continued in the next issue of the Record.)