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House of Representatives

The House met at 12:30 p.m. and was called to order by the Speaker pro tempore (Mr. PETRI).

DESIGNATION OF SPEAKER PRO TEMPORE

The SPEAKER pro tempore laid before the House the following communication from the Speaker:

WASHINGTON, DC,
October 30, 2001.

I hereby appoint the Honorable THOMAS E. PETRI to act as Speaker pro tempore on this day.

J. DENNIS HASTERT,
Speaker of the House of Representatives.

MORNING HOUR DEBATES

The SPEAKER pro tempore. Pursuant to the order of the House of January 3, 2001, the Chair will now recognize Members from lists submitted by the majority and minority leaders for morning hour debates. The Chair will alternate recognition between the parties, with each party limited to not to exceed 30 minutes, and each Member, except the majority leader, the minority leader, or the minority whip, limited to not to exceed 5 minutes.

The Chair recognizes the gentleman from Ohio (Mr. BROWN) for 5 minutes.

MISSED OPPORTUNITIES TO RESPOND TO TRUE NEEDS OF AMERICANS

Mr. BROWN of Ohio. Mr. Speaker, many years ago I was attending church with my father in the early 1960s; and he pointed to a gentleman sitting in the back of the church whom he had gone to high school with, and my dad said during World War II, when my dad and most people in the community went off to war, my dad told me this gentleman stayed home, feigned some injury and made a lot of money during the war. My dad referred to him, the first time I heard that term, as a war profiteer.

I remember the night of September 11, 2001, when service stations around my district in Ohio and other States in the Midwest, when gas station owners raised their price on that evening to $4, $5, $6 a gallon, also something you might call war profiteering.

Then I have watched this Congress respond to the events of September 11; and while in many cases the Congress and the President have worked well together, bipartisanly, putting differences aside, I have seen that same kind of profiteering, let us call it political profiteering, in the way that many people in the majority party have acted in response to September 11.

For instance, Congress spent $15 billion to bail out America's airlines. They required no shared sacrifice from the executives, no give-backs from executives in bonuses and salaries. They spent not a dollar on airport security in this $15 billion gift to the airlines, and they gave nothing to the 100,000 workers laid off as a result of September 11.

Turn the clock up a little bit further and look at what happened last week when Congress considered the bill to stimulate our economy. Instead of taking care of workers through health insurance, instead of taking care of laid off workers with unemployment compensation, instead of taking care of workers who got no tax break, people making $20,000 to $40,000 a year, instead of taking care of them, this Congress again, in the name of answering the problems of September 11, this Congress again gave huge tax cuts to the richest people in our society.

Eighty-nine percent of the tax relief in the Republican stimulus package went to tax breaks for corporations, including a $25 billion gift to the largest companies in the country. IBM got $1 billion, General Motors got between $800 million and $900 million in checks from the Federal Government, all in the name of let us take care of September 11 and what is happening with the economy.

Now we are seeing some leaders in this Congress, particularly Republican leaders in the Committee on Ways and Means and the Speaker, have said that in order to counter terrorism, we need to pass Fast Track, we need to give Trade Promotion Authority to the President, we need to extend NAFTA to Latin America.

So what we are saying is we are sending our young men and women in harm's way in Afghanistan; then when they come back to this country looking for jobs, some of those jobs will have been sent abroad because this Congress has passed failed trade agreements for those workers laid off. There is not unemployment compensation; there is no help with their health care.

When you talk about the events of September 11, Mr. Speaker, most of us talk about shared sacrifice. When this Nation has been troubled in World War I and World War II, there was shared sacrifice. Wealthy people actually paid a higher proportion of taxes, working people got some breaks on their taxes, working people got some benefits.

This is all different this year; and the response to September 11, we have seen that kind of political profiteering from the majority party. When Democrats have worked with the President bipartisanly, we have seen instead bailouts for the airlines with nothing for the airline workers; we have seen tax cuts for the richest people in our society, but no health care for laid-off workers; no tax breaks for middle-income and working-class workers. And now this week we are going to see an ideological battle where the most conservative members of this body, in opposition to bipartisan legislation in the Senate, with airline security, we are going to see Republicans in the House continuing to try to push forward a failed airline security bill.

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In fact, I know people who are making $6 and $7 an hour that work at airport security, and some of them actually have left to go work at McDonald's because it pays better. Instead, we should federalize airport workers and security workers at the airports. They should be paid a living wage, they should be paid health insurance, they should be paid other benefits, and they should be trained better so they are there for a long time and they will do their job.

Why should we continue this failed system of airline security, of airport security, all in the name of a conservative ideology? Mr. Speaker, it is time we believe in shared sacrifice. It is time we federalize the airport security people, that we build a tax system fair to all people, and that we take care of workers laid off and victimized by the events of September 11.

HONORING THE PHYSICALLY IMPAIRED AND THOSE THAT WORK WITH THEM

The SPEAKER pro tempore. Under the Speaker's announced policy of January 3, 2001, the gentleman from North Carolina (Mr. COBLE) is recognized during morning hour debates for 5 minutes.

Mr. COBLE. Mr. Speaker, recently the distinguished gentleman from Georgia (Mr. KINGSTON) took a Special Order honoring Rush Limbaugh, who is undergoing a hearing loss. Many people are unaware and/or indifferent to those who experience physical infirmities, including deafness and blindness. When celebrities become affected, however, attention is focused on the celebrity, as well as the infirmity or disability. Fanny Crosby, the beloved hymn composer, was visually impaired, as are entertainers Doc Watson and Ray Charles. Helen Keller overcame blindness as well as deafness.

Many are prone to dismiss deafness as a mere inconvenience when compared to other infirmities. I have a personal familiarity with the hearing impaired, Mr. Speaker. My mom has been legally deaf most of her adult life. My first cousin at the time of her retirement served as superintendent of the North Carolina School for the Deaf.

Several years ago, while motoring in North Carolina on a Sunday morning, I was listening to the Lutheran Hour on the automobile radio. The host, Dr. Ozzie Hoffmann, was discussing physical infirmities. He said if offered a choice of losing the sense of sight or the sense of hearing, most people would opt to retain their vision. The host of the program then presented an interesting aside. Blindness, he noted, removes the visually impaired from objects and things; deafness, he declared, removes the hearing impaired from people.

Oftentimes persons who have impaired hearing are mistakenly accused of being unfriendly or aloof, when the truth of the matter is their deafness, as Dr. Hoffmann indicated years ago, has removed them from people. Their skills for communication, Mr. Speaker, have been adversely affected.

My mom was an outstanding parent and wife, despite having been deprived of normal hearing. Rush Limbaugh, hopefully, will not be removed from contact with his vast listening audience.

Finally, permit me to urge my colleagues in this House and in the other body as well to be consciously aware of difficulties encountered by those who are visually and hearing impaired. We who enjoy normal vision and hearing oftentimes take these luxuries for granted.

These are indeed luxuries which we should not embrace casually, and those who do not enjoy these luxuries deserve a tip of our hats for the extra effort they are required to expend to make it through life. Most of the blind and deaf people I know are upbeat, optimistic and rarely bitter as a result of their infirmities. They are indeed unsung heroes and thoroughly deserve our admiration and respect, as do the men and women who work with the visually and hearing impaired to make their lives more complete and more fulfilled.

ENFORCING AIRLINE SECURITY

The SPEAKER pro tempore. Under the Speaker's announced policy of January 3, 2001, the gentleman from Oregon (Mr. DEFAZIO) is recognized during morning hour debates for 5 minutes.

Mr. DEFAZIO. Mr. Speaker, it has been 7 weeks since the attacks, and the House of Representatives has yet to consider one bill relating to aviation security enhancements. Not one.

Two weeks ago the Senate passed a bill 100 to zero, nothing passes the Senate 100 to zero of any substance, 100 to zero; yet this House has failed to take up that or any other measure, because of one item in disagreement: Who should provide the critical screening function for baggage, carry-on bags and individuals passing into the secure areas of the airport? Should it be the private sector, as the majority whip and the majority leader say, or should it be a Federal law enforcement-national security function provided by competent, well-paid, professional Federal law enforcement personnel, the same way we do INS, Customs, and even agriculture inspection? Those are Federal law enforcement agents.

But somehow, when it comes to the security of the public traveling on airplanes, no, they get second-class treatment. They get security on the cheap. The majority wants to maintain the status quo, which is failing them miserably.

Guess what? That same majority has not mandated that we put private security firms at the doors of the Capitol. If they feel so good about this and if they can provide such a great service, why do they not do that? Because they are mindful of protecting themselves. But they do not care quite so much about the traveling public. They care more about their political sponsors.

Let us look at who the political sponsors are here. There are three foreign owned, hear that, foreign owned huge companies that do most of the private airport security in the United States; and one of them, Securicor of Europe, threatened last week to sue the United States Government if we usurp their function at the airports.

Let us look at how their subsidiary is doing in the U.S. Their subsidiary is Argenbright, one of the three largest security firms providing airport security to more than 40 major airports in the United States of American, including Boston's Logan, Washington's Dulles and others.

Well, they have got a few problems. They were criminally convicted just a year ago of hiring known felons, maintaining known felons on staff, falsifying documents as to the screening and training of the known felons that they had hired. At Dulles Airport, 84 percent of their workers are foreign national; but, they assure us, most of them are legal immigrants. ''Most.''

Most? This is extraordinary, and this is the system that the gentleman from Texas (Mr. ARMEY) and the gentleman from Texas (Mr. DELAY) want to perpetuate under pressure from these generous firms. They are generous. Their U.S. subsidiaries can contribute to campaigns, and they do, generously.

Now, let us talk about how they are going to resolve the problems. They do admit it is a little bit of a problem that they are hiring and maintaining known felons on staff; that FAA inspectors are able to get hand grenades, fully assembled guns and other things through the security; that many, many other lapses have been noted. Most notably, last weekend a gentleman was on a Southwest Airlines plane with a fully loaded gun in his briefcase which they had not noticed. They noticed, when he got up to altitude and told the pilot. It was nice of him to do that. But the security screening people from the private firm did not notice the gun.

Now, so what the majority says is well, look, we will make it better. We will have Federal regulations. Well, guess what? We have got Federal regulations now. They are ignoring them. They are ignoring them to the point where they are about to be criminally convicted, in terms of Argenbright, for the second time.

□ 1245

But not removed. But forbid we would remove them from doing this function and fail the American traveling public.

They say they will also mandate wages, not usually something the Republicans want to do. So they say they will mandate wages, they will mandate benefits, they will mandate, and the Federal Government will conduct

background checks since the private firms falsify the documents all the time, and then the Federal Government will either directly train or supervise the training by these firms because they falsify the documents about the training of these people, and the Federal Government will provide supervisors but it will be a private undertaking.

Now, wait a minute. Did they just describe a Rube Goldberg device or what? So the Federal Government is going to do all of these things, but we are going to maintain these private firms, so-called, in place because why? They are doing such a good job? No. Why? Why are we going to maintain them in place? This system that they are describing is so much less efficient than an all-Federal system like we do with Customs, INS, agriculture inspection, and like we do here at the United States Capitol to provide our screening security. Why do they want to give Americans security on the cheap? Change this system. Change it this week. Agree to what the Senate did 100 to zero.

AMERICANS SHOULD BE ENCOURAGED

The SPEAKER pro tempore (Mr. PETRI). Under the Speaker's announced policy of January 3, 2001, the gentleman from Indiana (Mr. PENCE) is recognized during morning hour debates for 5 minutes.

Mr. PENCE. Mr. Speaker, as my colleagues are aware, trace elements of the anthrax bacillus were discovered in my office in the Longworth Office Building, along with the offices of two of my distinguished colleagues, the gentleman from Maine (Mr. BALDACCI) and the gentleman from New Jersey (Mr. HOLT). Mr. Speaker, all of us have been busy, to say the least, since we received the call from leadership and security on Friday night, not only meeting with health officials, but security officials, and contacting constituents who came into contact with our office. It has been a busy time.

But I rise today, Mr. Speaker, to announce proudly that another attack on our national government has failed. As a Christian believer, I begin my remarks today by giving thanks to God, who I believe protected my family and my staff from this unseen menace. In our family, we often say that the safest place in the world is to be in the center of God's will, and we believe that we had his protection. As the Bible says, ''It is good for me to be near God, I have made the sovereign Lord my refuge, I will tell of all your deeds,'' and thus I do so humbly today.

To the people we serve in Indiana, our message today is simple. They should be confident. My family and my staff are well and show no signs of infection. We have all been treated, as has virtually every individual that came into contact with our office. This incident should not, Mr. Speaker, be cause for alarm but of encouragement. The system worked, thanks to the outstanding work of the Capitol Hill security, the CDC, and the Office of the Attending Physician, who I rise to commend today. We are requesting in all of our offices that anyone who visited our office from October 12 to October 17 see their physician and begin a prophylactic treatment of antibiotics over the next 60 days.

To the people who did this, whoever you are, you have failed again. You have failed to reach your target, and you have failed in a much more profound way, because by your actions you have steeled the resolve of every member of this national government whose duty it is to bring you to justice or to seal your fate.

Finally, Mr. Speaker, a word on behalf of the gentleman from Illinois (Mr. HASTERT), the Speaker of the House, and the gentleman from Missouri (Mr. GEPHARDT), the minority leader, whose decision to close the House offices and commence this environmental sweep was so deeply maligned by many in the national media and even by some of our own colleagues in the U.S. Senate. On behalf of my wife, my children, Michael, Charlotte and Audrey, the nine full-time staffers in my office, from my heart to the bipartisan leadership I say thank you. Thank you for putting my family and my staff's well-being ahead of any concern about public relations or image.

Indeed, Mr. Speaker, these times have fallen on broad shoulders, men and women willing and able to make the tough choices and stand by them. So I say to the troops in the field, our investigators at home, the postal workers who find themselves on the frontline of this domestic terrorism, and to the public at large, be encouraged. God has indeed put strong men and women in leadership of this national government for such a time as this. As it is written, fear is usless. What is needed is trust.

Mr. Speaker, over this last weekend my family again learned that our national leadership and the leadership in both parties in this Congress is worthy of our trust in these difficult days, and I am grateful.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Members are reminded to address remarks in debate to the Chair and not to others who may be following the proceedings.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12 of rule I, the Chair declares the House in recess until 2 p.m. today.

Accordingly (at 12 o'clock and 51 minutes p.m.), the House stood in recess until 2 p.m.

□ 1400

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. PETRI) at 2 p.m.

PRAYER

Mr. Tony Incashola, Confederated Salish and Kootenai Tribes, Pablo, Montana, offered the following prayer:

God, Creator, I come before You today to ask that You look upon the Members of the House of Representatives and gift them with Your knowledge and wisdom. Creator, I pray for those who have gone before us, our ancestors and forefathers, who with their mighty words, deeds and sacrifices made this the great Nation it is. I especially ask You, Creator, to wrap Your loving arms around those whose lives have been forever altered by the tragic events of September 11. We truly are one Nation under God, and seek Your guidance in all decisions, small and large, that affect the diverse peoples of America.

We have reached a point in our history, Creator, where Your guidance and wisdom are of great importance. I ask Members of the House of Representatives to look to You for the path to follow so that justice and righteousness will be served. I implore You to listen to the prayers and needs of these men and women who have been chosen to lead this Nation. Give them the strength to make decisions, popular or not, to lead the United States of America into the 21st century. Now is the time for people of all races, colors, origins, and religions to come together to stand and show our strength as one. We must remember, as we move forward, that united we stand, one Nation, under God, indivisible, with liberty and justice for all.

I ask this in Your name, God, Creator, and thank You for the many blessings You have already bestowed upon us. Thank you. Amen.

THE JOURNAL

The SPEAKER pro tempore. The Chair has examined the Journal of the last day's proceedings and announces to the House his approval thereof.

Pursuant to clause 1, rule I, the Journal stands approved.

PLEDGE OF ALLEGIANCE

The SPEAKER pro tempore. Will the gentleman from Texas (Mr. GREEN) come forward and lead the House in the Pledge of Allegiance.

Mr. GREEN of Texas 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.

TRIBUTE TO GUEST CHAPLAIN

(Mr. REHBERG asked and was given permission to address the House for 1

minute and to revise and extend his remarks.)

Mr. REHBERG. Mr. Speaker, it is my pleasure to introduce the guest chaplain, Tony Incashola, Director of the Salish-Pend d'Orielle Culture Committee, of the Flathead Indian Reservation.

The Flathead Indian Reservation is home to the Confederated Salish and Kootenai Tribe, consisting of the Salish, Pend d'Orielle, and Kootenai peoples.

Today, Tony is a highly respected tribal and community leader. For over 25 years, Tony, a fluent Salish language speaker, has served on the Culture Committee.

As young men, both Tony and his brother, Baptiste, left home to serve their country in Vietnam. Tony accompanied his brother's body home after he was killed in action.

Tony and his wife, Denise, have four children and have raised several foster children.

Finally, Mr. Speaker, I thank the Tribal Chairman Fred Matt for requesting that Tony be today's guest chaplain.

TRIBUTE TO FORMER MEMBER GERALD SOLOMON

(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, I think most of my colleagues now are aware of the very sad news of the passing of our former colleague, Gerald Solomon, last Friday.

Jerry Solomon was a wonderful individual. He was a beloved figure both in this House and in his district in New York and across the country. He was an inspiration to so many of us. I had the privilege of succeeding him as chairman of the House Committee on Rules, and he provided me with a lot of direction, a lot of encouragement, and he often gave me lots of orders, too, some of which I followed.

He was an individual who was so proud of the United States of America. Today, people are regularly wearing American flags on their lapel. Jerry Solomon, when I first met him in 1978, wore a flag on his lapel and always did because he was a dedicated Marine. He was an individual who obviously loved his family, and he loved this institution and the United States of America.

Mr. Speaker, I would simply like to, on behalf of all of our colleagues, extend condolences to his wonderful wife, Freda, and the Solomon family, and to say that we truly miss a very, very dear friend, and we are all proud of the wonderful service that he provided to the United States of America.

STATE DEPARTMENT SHOULD GET ON MESSAGE WITH WHITE HOUSE

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

Mr. NADLER. Mr. Speaker, this country is united in supporting the determination of President Bush to fight the terrorists across the world, to fight all those terrorist groups, as he said, with global reach. Apparently, however, the State Department has not gotten the message.

What are we to make of the fact that the State Department incessantly criticizes Israel for attacking terrorists who have attacked civilians in Israel in exactly the way the United States is trying to apprehend and kill Osama bin Laden and his followers; and the State Department spokesman says, ah, it is different, because there is an agreement with Israel to negotiate with the Palestinians. When the Palestinians engage in terror and break their agreement not to use violence, apparently our position is that Israel should remain defenseless and do nothing to reply; either do nothing or face the condemnation of our State Department.

The State Department should get on message with the President and the rest of the United States that is opposed to terror and thinks that people who are attacked by terrorists have the right to self-defense.

MEDAL OF VALOR FOR AMERICA'S HEROES ACT

(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, today, we will consider House Concurrent Resolution 243, the Medal of Valor for America's Heroes Act.

Our Nation continues to mourn the many, many innocent citizens that were lost in the tragic events of September 11 and terrorist events since then. However, our Nation also celebrates the courage and dedication of the firefighters, police officers and medical personnel who worked around the clock to find survivors amidst the rubble in New York and Washington. These brave men and women were first on the scene and risked their lives to help their fellow Americans, and many of these brave souls made the ultimate sacrifice.

Mr. Speaker, it is only proper that the United States recognize these heroes and award them the Medal of Valor for their service. I encourage all my colleagues to support this resolution and for America never to forget our fallen heroes.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, the Chair announces that he will postpone further proceedings today on each motion to suspend the rules on which a recorded vote or the yeas and nays are ordered, or on which the vote is objected to under clause 6 of rule XX.

Any record votes on postponed questions will be taken after debate has concluded on all motions to suspend the rules, but not before 6 p.m. today.

EXTENDING ELIGIBILITY FOR REFUGEE STATUS OF UNMARRIED SONS AND DAUGHTERS OF CERTAIN VIETNAMESE REFUGEES

Mr. SENSENBRENNER. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 1840) to extend eligibility for refugee status of unmarried sons and daughters of certain Vietnamese refugees, as amended.

The Clerk read as follows:

H.R. 1840

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

SECTION 1. ELIGIBILITY FOR REFUGEE STATUS.

(a) ELIGIBILITY FOR IN-COUNTRY REFUGEE PROCESSING IN VIETNAM.—For purposes of eligibility for in-country refugee processing for nationals of Vietnam during fiscal years 2002 and 2003, an alien described in subsection (b) shall be considered to be a refugee of special humanitarian concern to the United States (within the meaning of section 207 of the Immigration and Nationality Act (8 U.S.C. 1157)) and shall be admitted to the United States for resettlement if the alien would be admissible as an immigrant under the Immigration and Nationality Act (except as provided in section 207(c)(3) of that Act).

(b) ALIENS COVERED.—An alien described in this subsection is an alien who—

(1) is the son or daughter of a qualified national;

(2) is 21 years of age or older; and

(3) was unmarried as of the date of acceptance of the alien's parent for resettlement under the Orderly Departure Program or through the United States Consulate General in Ho Chi Minh City.

(c) QUALIFIED NATIONAL.—The term ''qualified national'' in subsection (b)(1) means a national of Vietnam who—

(1)(A) was formerly interned in a re-education camp in Vietnam by the Government of the Socialist Republic of Vietnam; or

(B) is the widow or widower of an individual described in subparagraph (A);

(2)(A) qualified for refugee processing under the Orderly Departure Program re-education subprogram; and

(B) is or was accepted under the Orderly Departure Program or through the United States Consulate General in Ho Chi Minh City—

(i) for resettlement as a refugee; or

(ii) for admission to the United States as an immediate relative immigrant; and

(3)(A) is presently maintaining a residence in the United States or whose surviving spouse is presently maintaining such a residence; or

(B) was approved for refugee resettlement or immigrant visa processing and is awaiting departure formalities from Vietnam or whose surviving spouse is awaiting such departure formalities.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Wisconsin (Mr. SENSENBRENNER) and the gentleman from New York (Mr. NADLER) each will control 20 minutes.

The Chair recognizes the gentleman from Wisconsin (Mr. SENSENBRENNER)

GENERAL LEAVE

Mr. SENSENBRENNER. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days

within which to revise and extend their remarks and to include extraneous material on H.R. 1840, the bill under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

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

Mr. Speaker, H.R. 1840 extends eligibility for refugee status of unmarried sons and daughters of certain Vietnamese refugees. It stems from the Orderly Departure Program which was established in 1979 to give eligible nationals of Vietnam an alternative method of emigrating to a foreign country, rather than undertake illegal hazardous departures by boat or land.

In 1989, the INS began adjudicating applications for refugee status in Vietnam for certain Vietnamese nationals who had been in reeducation camps for at least 3 years and widows of Vietnamese nationals who died as a result of confinement in the reeducation camps. The INS included unmarried sons and daughters 21 years and older based on case eligibility guidelines set up by the State Department 10 years earlier. However, this contradicted immigration regulations. INS had been treating those unmarried sons and daughters as derivative refugees, but the Immigration regulations defined derivative refugees as spouses and unmarried children under 21 years of age.

In April of 1995, the INS, with concurrence of the State Department, stopped accepting sons and daughters 21 years of age or older. In response to this modification, the McCain amendment was enacted to reestablish refugee eligibility to unmarried adult sons and daughters of the qualifying Vietnamese nationals. The legislation was retroactive to April 1, 1995, the date on which the modification had taken effect. It was extended in 1998.

The INS has denied derivative refugee status to those unmarried sons and daughters who failed to prove their family relationship with the principal applicant. The INS mistakenly denied some for no proof of family relationship when the applicant could not show he or she continuously resided with the parent. After determining that it was incorrectly denying some derivatives based on co-residency, the INS identified the entire caseload of improperly adjudicated derivative family member cases. The agency had until September 30, 2001 to correct the cases adjudicated on or after April 1, 1995, where the original denial was based solely on the issue of co-residency with the principal applicant.

The INS needs additional time to adjudicate pending cases under the McCain amendment. As such, H.R. 1840 extends the time to adjudicate these cases by 2 years. The intent of H.R. 1840 is to extend the same eligibility criteria applied to cases currently being processed under the McCain amendment to individuals whose parent's case was processed prior to April 1, 1995. Accordingly, the act removes the date of April 1, 1995, imposed by the McCain amendment.

In addition to failure to prove co-residency, the INS has denied some cases because the applicants were unable to prove their family relationship to a principal applicant. Due to new identification methods, such as DNA, H.R. 1840 permits the INS to reconsider cases that were previously denied for failure of proof rather than just those cases that were denied based on the issue of cohabitation with the principal alien.

Finally, some sons and daughters have been denied derivative refugee status because their principal applicant parent has died, although the surviving parent resides in the United States or is awaiting departure formalities from Vietnam. Accordingly, H.R. 1840 expands eligibility to include these adult unmarried sons and daughters.

The bill has the support of its author, the State Department, the Justice Department, the INS, and it passed the Committee on the Judiciary unanimously. I urge my colleagues to support this bill.

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

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

Mr. Speaker, I rise in support of this bill. It is a reasonable bill that is based on a bipartisan agreement between members of the Committee on International Relations and the Committee on the Judiciary. The bill passed the Committee on the Judiciary by a voice vote.

Prior to April 1, 1995, refugees accepted for resettlement into the United States were allowed to bring their sons and daughters, even those above the age of 21, so long as they had never married and were members of the refugee parent's household. On April 1, 1995, the INS changed its interpretation of the then existing law to exclude children who were over 21, even if they were unmarried and living with their parents.

□ 1415

Mr. Speaker, in the case of South Vietnamese combat veterans and others who had suffered long terms in reeducation camps because of their wartime associations with the United States, this imposed a particularly harsh burden on the refugees and their children. These children had already been without their fathers throughout the time they were in reeducation camps, in some cases for 10 or 15 years.

The new rule was particularly harsh on young women. In Vietnamese society, a 21- or 22-year-old unmarried woman either lives with her parents or she is regarded as vulnerable and unprotected.

Recognizing these realities, Congress has three times adopted the McCain amendment, which changes the INS interpretation of the law, so that refugees who are survivors of reeducation camps can once again be accompanied by their unmarried young sons and daughters.

Due to drafting mistake, the provision excluded sons and daughters who were mistakenly rejected before April 1, 1995. This bill will fix this problem once and for all, simply by enacting the very same rules for pre-April 1995 cases that already apply by law to cases after April 1, 1995. It is simple legislation, and it cures an injustice. It harms nobody, and I urge my colleagues to support this legislation.

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

Mr. SENSENBRENNER. Mr. Speaker, I yield 4 minutes to the gentleman from Virginia (Mr. TOM DAVIS).

(Mr. TOM DAVIS of Virginia asked and was given permission to revise and extend his remarks.)

Mr. TOM DAVIS of Virginia. Mr. Speaker, I thank the chairman for his courtesy and consideration in bringing this bill to the floor.

Mr. Speaker, I rise to express my strong support for H.R. 1840, a bill which will extend eligibility for refugee status of unmarried sons and daughters of certain Vietnamese refugees.

The Communist government of Vietnam, by its actions in imprisoning Catholic priests, Buddhist monks, and ordinary citizens whose only crime is to speak out for freedom and democracy is saying loudly and clearly and consistently to the United States, we want American investment dollars and we are willing to learn from the American economic system, but American values of religious and political freedom are not welcomed.

We need to do more to respond to this message of oppression with our own message of freedom. Human rights needs to be central to our foreign policy toward Vietnam. One small step is to save as many as possible of the people who are still being persecuted by the Communist authorities because of their wartime associations with the United States, or simply because they share our values.

Mr. Speaker, until 1995, those refugees who were eligible to resettle in the United States under the HO component of the Orderly Departure Program, which is limited to persons who served 3 or more years in reeducation camps after the Communist takeover of Vietnam in 1975, were allowed to bring their children with them. This policy included unmarried children who had reached the age of 21 during the period of the refugee's incarceration or during the long wait to receive an exit visa from the Communist authorities.

I introduced this resolution several months ago to address a specific immigration concern. Until April 1, 1995, former Vietnamese prisoners of war who were accepted for resettlement by

the United States as refugees could bring their sons and daughters, even those above the age of 21, so long as they had never married and were members of the refugee parent's household. On April 1, 1995, INS changed its interpretation of the then-existing law to exclude children who were over 21, even if they were unmarried and living with their parents. This abrupt decision reversed our humanitarian pro-family policy. This change in policy forced a brutal choice on ex-political prisoners: either decline the opportunity to find freedom in the United States, or abandon their children in a country that has persecuted them.

In 1996 Congress adopted the McCain amendment to make clear that unmarried adult sons and daughters of reeducation camp internees are refugees of special humanitarian concern under U.S. law. Unfortunately, difficulties in interpretation and implementation of this provision have left hundreds of refugee families still separated.

For South Vietnamese combat veterans and others who had suffered long terms in reeducation camps because of their wartime associations with us, this imposed a particularly harsh burden on both them and their children. These children had already been without their fathers when they were in reeducation camps, in some cases for 10 or 15 years. Then the refugees were given a choice between living forever under a Communist dictatorship or leaving their children behind when they immigrated to the United States. These children are marked as members of a counterrevolutionary family and denied educational and employment opportunities by the Government of Vietnam. They would certainly go on suffering in Vietnam because of their families' participation in the war.

Additionally, the new INS rule was particularly harsh to young women. In Vietnamese society, a 21- or 22-year-old girl either lives with her parents or is regarded as vulnerable and unprotected.

Recognizing these realities, Congress on three occasions adopted the McCain amendment which changed the INS interpretation of the law so that refugees who are survivors of reeducation camps can once again be accompanied by their unmarried sons and daughters.

The latest extension expired on September 30. My bill will extend the McCain amendment for 2 years and fix a drafting problem in the language. This bill will allow over-21 unmarried sons and daughters and widows of qualified reeducation detainees to be considered for resettlement as refugees to the United States, regardless of the date of acceptance.

H.R. 1840 is a fair and equitable bill that will provide family reunification and allow us to keep our promise to the people who fought alongside U.S. troops during the Vietnam War. Their courage and valor must never be forgotten.

Mr. Speaker, I thank the gentleman from Texas (Mr. ARMEY) and the gentleman from Wisconsin (Mr. SENSENBRENNER) for their leadership, and their respective staffs. I urge my colleagues to give this legislation their support.

Mr. NADLER. Mr. Speaker, I yield 1 minute to the gentleman from Virginia (Mr. MORAN).

Mr. MORAN of Virginia. Mr. Speaker, I thank the gentleman from New York (Mr. NADLER) and the gentleman from Wisconsin (Mr. SENSENBRENNER), and I particularly want to thank the gentleman from Virginia (Mr. TOM DAVIS) for introducing this legislation.

This would appear to be a minor, technical correction; but it makes a major change in the lives of a great many American families. I use the term ''American families'' deliberately. I challenge Members to find any group of immigrants any more committed to the United States and its values than Vietnamese refugees. The Vietnamese American families are extremely patriotic. They put many of us to shame.

The fact is that their sons and daughters are being stigmatized, penalized because of their family ties. The limitations, both social and economic that are placed on them, are unfair. The right thing to do is to let them be reunited with their families. This is a good bill. I am glad it is going to pass unanimously.

Mr. SENSENBRENNER. Mr. Speaker, I yield 2 minutes to the gentleman from North Carolina (Mr. BALLENGER).

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

Mr. BALLENGER. Mr. Speaker, I thank the gentleman from Wisconsin (Mr. SENSENBRENNER) for yielding me this time.

Mr. Speaker, upon assuming control of the entire nation of Vietnam, the Communist Government imprisoned many of its citizens in reeducation camps where they endured brutal conditions. Many died due to abuse and deprivation. Most of those placed in these camps were sent there because of their service to the governments of South Vietnam and the United States during the Vietnam War.

In 1979, the Orderly Departure Program was created to provide a way for the immediate relatives of those who spent 3 years or more in those camps, and the widows of those who died in the camps to immigrate to the United States. I know a number of these people who now reside in my congressional district and work in a business that I founded. They are productive and patriotic citizens.

However, when the deadline to register for the program expired, many qualified beneficiaries were left behind. The bill of the gentleman from Virginia (Mr. TOM DAVIS), H.R. 1840, will offer these individuals an opportunity to be considered for admission under the Ordinary Departure Program through the fiscal year 2003. I support the bill. It is a fair and honorable way to help the families of the brave men and women who endured great suffering for their service to the cause of democracy and their support of the American military and civilian personnel during the Vietnam War.

Mr. Speaker, I ask Members to vote for H.R. 1840.

Ms. JACKSON-LEE of Texas. Mr. Speaker, I rise in support of H.R. 1840, which seeks to correct a technical flaw in the immigration and naturalization processes pertaining to refugees of Vietnam and their adult children.

In 1989 the INS granted refugee status to Vietnamese citizens imprisoned in Vietnamese forced reeducation camps. Approximately 200 adult children of those detained in camps were mistakenly denied admission into the United States due to a 1995 change in INS regulations. These regulations have since been changed to correct this error.

Current law stated that INS was to review all such applications by September 30, 2001. This deadline has been outfaced by events, and H.R. 1840 fixes this problem by extending the reapplication deadline to September 2003. I support this legislation because it seeks to remedy an injustice, and because the remedy it provides is comprehensive and narrowly constructed.

H.R. 1840 allows for petitions denied both before and after April 1995 to be reexamined for erroneous denials. Also, this bill will allow adult unmarried children with only one surviving parent with U.S. residency claims to apply as well. This is a further example of how successful our immigration policies can be at promoting societal stability. This legislation recognizes and rewards family bonds. It does so in a way that recognizes the temporal importance of remedying this problem for the health and well being of those Vietnamese refugees involved.

Mr. Speaker, many communities, including my own district in Houston, Texas enjoy thriving Vietnamese populations as a result of immigration. H.R. 1840 promotes greater stability in those communities, as adults who are growing older will be allowed to do so with increased peace of mind that their loved ones might be able to help them grow old with love and dignity. These benefits surely redound to larger society as well by promoting stable families and safer communities. I therefore urge members to support this legislation.

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

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

The SPEAKER pro tempore (Mr. PETRI). The question is on the motion offered by the gentleman from Wisconsin (Mr. SENSENBRENNER) that the House suspend the rules and pass the bill, H.R. 1840, as amended.

The question was taken; and (two-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.

PRESENTATION OF PUBLIC SAFETY OFFICER MEDAL OF VALOR IN RESPONSE TO TERRORIST ATTACKS OF SEPTEMBER 11, 2001

Mr. SENSENBRENNER. Mr. Speaker, I move to suspend the rules and agree to the concurrent resolution (H. Con. Res. 243) expressing the sense of the Congress that the Public Safety Officer Medal of Valor should be presented to the public safety officers who have perished and select other public safety officers who deserve special recognition for outstanding valor above and beyond the call of duty in the aftermath of the terrorist attacks in the United States on September 11, 2001.

The Clerk read as follows:

H. CON. RES. 243

Whereas on September 11, 2001, terrorists hijacked and destroyed 4 civilian aircraft, crashing 2 of them into the towers of the World Trade Center in New York City, a third into the Pentagon, and a fourth in rural southwest Pennsylvania;

Whereas thousands of innocent Americans and many foreign nationals were killed and injured as a result of these surprise terrorist attacks, including the passengers and crews of the 4 aircraft, workers in the World Trade Center and the Pentagon, firefighters, law enforcement officers, emergency assistance personnel, and bystanders;

Whereas hundreds of public safety officers were killed and injured as a result of these terrorist attacks because they immediately rushed to the aid of innocent civilians who were imperiled when the terrorists first launched their attacks, many of whom would perish when the twin towers of the World Trade Center collapsed upon them;

Whereas thousands more public safety officers are risking their own lives and long-term health in sifting through the aftermath and rubble of these terrorist attacks to recover the dead;

Whereas the Public Safety Officer Medal of Valor Act of 2001 (Public Law 107–12; 115 Stat. 20) authorizes the President to award and present, in the name of Congress, a Medal of Valor to public safety officers for extraordinary valor above and beyond the call of duty;

Whereas the Attorney General of the United States has discretion to increase the number of recipients of the Medal of Valor under that Act beyond that recommended by the Medal of Valor Review Board in extraordinary cases in any given year;

Whereas the terrorist attacks in the United States of September 11, 2001, and their aftermath constitute the single most deadly assault on our American homeland in our Nation's history; and

Whereas those public safety officers who have perished and those who lead the efforts to rescue innocent civilians from the terrorist attacks, are the first casualties and veterans of America's new war against terrorism, which was authorized by the authorization for use of military force enacted September 14, 2001: Now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That it is the sense of Congress that—

(1) the President should award and present, in the name of Congress, a Public Safety Officer Medal of Valor to those public safety officers who were killed in the terrorist attacks in the United States on September 11, 2001; and

(2) the President should award and present a Public Safety Officer Medal of Valor to those public safety officers who have earned special recognition for outstanding valor above and beyond the call of duty as named—

(A) in consultation with the Mayor of the City of New York and Governor of the State of New York for the attacks on New York—

(i) Commissioner of the New York City Police Department;

(ii) Commissioner of the New York City Fire Department; and

(iii) Executive Director of the Port Authority of New York and New Jersey;

(B) in consultation with the Chair of the Washington Metropolitan Council of Governments, including the sitting Chairs of the Police and Fire Chief Committees; and the Fort Myer Federal Fire Chief, and the Governor of the Commonwealth of Virginia for the attack at the Pentagon—

(i) Fire Chief of Arlington County, Virginia; and

(ii) Police Chief of Arlington County, Virginia; and

(C) in consultation with the Governor of the Commonwealth of Pennsylvania for the plane crash in Pennsylvania—

(i) Commandant of the Pennsylvania State Police; and

(ii) Adjutant General of the Pennsylvania National Guard,

or any of their designees, for their heroic actions on September 11, 2001, and thereafter during the rescue and recovery missions.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Wisconsin (Mr. SENSENBRENNER) and the gentleman from New York (Mr. NADLER) each will control 20 minutes.

The Chair recognizes the gentleman from Wisconsin (Mr. SENSENBRENNER).

GENERAL LEAVE

Mr. SENSENBRENNER. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous material on H. Con. Res. 243.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

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

Mr. Speaker, of the thousands of people killed on September 11, over 400 were public safety officers. These brave men and women dedicated their lives to the protection of life and property, and in so doing made the ultimate sacrifice. Since that day, thousands of their fellow officers from around the country responded to the attacks and have worked tirelessly at the World Trade Center, the Pentagon, and western Pennsylvania, and, indeed, all around America and the rest of the world.

I believe it fitting and proper that our Nation honor not only those public safety officers who gave their lives, but also the officers who have demonstrated the highest forms of heroism and valor in the wake of these tragic events.

Mr. Speaker, the Public Safety Officer Medal of Valor Act of 2001 was signed into law on May 30. This act established a national medal to be given by the President in the name of the United States Congress to a public safety officer who has displayed extraordinary valor above and beyond the call of duty. The Public Safety Officer Medal Of Valor is the highest national award for valor that can be given to a firefighter, law enforcement officer, or emergency services officer.

Under this new law, the Attorney General of the United States is charged with selecting the recipients of the medal and is limited to selecting not more than five recipients in a given year. However, in extraordinary circumstances, the Attorney General may increase the number of medals to be awarded in a particular year. Mr. Speaker, no one can argue that the events that occurred on September 11, and the acts of bravery and valor that followed, were anything but extraordinary circumstances. House Con. Res. 243 expresses the sense of Congress that the Public Safety Officer Medal of Valor should be presented to all the public safety officers who were killed in the terrorist attacks on September 11, 2001.

Further, the concurrent resolution states that the Medal of Valor should be presented to those officers who have earned special recognition for outstanding valor for their actions in the hours, days, and weeks following the terrorist attacks.

These officers will be selected in consultation with the Governor of New York, the Mayor of the City of New York, the Governor of Virginia, and the Governor of Pennsylvania, and other officials who have firsthand knowledge of the heroic efforts made by these men and women.

On October 11, 2001, a day of violence, horror and great sadness, America's public safety officers gave their lives trying to save others. They also performed their duties heroically in the face of adversity and tragedy.

Mr. Speaker, I urge my colleagues to support this concurrent resolution and to provide the many heroes around the country with appropriate recognition by urging the Attorney General to present them with the highest national public safety officer award for valor.

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

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

Mr. Speaker, I rise in strong support of this resolution, expressing the sense of the Congress that the Public Safety Officer Medal of Valor should be presented to the public safety officers who have perished and select other public safety officers who deserve special recognition for outstanding valor above and beyond the call of duty in the aftermath of the terrorist attacks in the United States on September 11, 2001.

□ 1430

The ruthless attacks on the United States by an organized band of terrorists stands in stark contrast to tremendously heroic efforts of our public safety officers who gave their lives so that

others may live. Our firefighters, police, and emergency rescue personnel rushed to the scene and rescued thousands of people in what was probably the greatest rescue operation in history. Many lives were lost, but many, many more were saved, thanks to the courage of those we seek to honor here today with this resolution. Their actions are not simply commendable, they should serve as the definition of bravery. These men and women ran into not just a burning building, but two of the tallest buildings in the world that had just been hit by jet airplanes full of jet fuel. The flames were so hot they actually melted steel. Tragically, many victims chose certain death by jumping from the towers to escape the blazing heat. Yet into this heat our firefighters charged. We have heard stories of firefighters who climbed 60, 70, even 80 stories to rescue victims. As survivors came down the stairs, they told the stories of firefighters last seen headed up the stairs. Countless people have come forward to acknowledge that firefighters and police officers saved their lives on September 11. Tragically, many of them were on the scene when the towers came down all around them. They made the ultimate sacrifice, as they too became victims of the terrorist attacks.

And even the collapse of these mammoth buildings was not enough to scare off our public safety officers. After the buildings came down, again police, firefighters and rescue personnel were on the scene, rescuing those whom they could reach, evacuating the area, tending to the injured, and dousing flames that threatened others. Thankfully, the media has done a wonderful job of telling their stories and making the public aware of the heroes amongst us. Sadly, there are too many stories to tell, because the magnitude of the tragedy was so great. It is for us here today to once again honor their sacrifice and bestow high honor upon these American heroes.

This bill will express the sense of the Congress that the President should award and present, in the name of Congress, a Public Safety Officer Medal of Valor to those public safety officers who were killed in the terrorist attacks on September 11 or who have earned special recognition for outstanding valor above and beyond the call of duty. The bill urges the President to work with the State and local elected officials and the various police and fire commissions in New York, Pennsylvania and Virginia to select those individuals who should be awarded the Medal of Valor.

I want to thank the majority for bringing this resolution to the floor in an expeditious manner, and I want to commend the sponsor of the resolution, the gentleman from New York (Mr. CROWLEY).

Mr. Speaker, I yield 5 minutes to the gentleman from New York (Mr. CROWLEY), the sponsor of this bill.

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

Mr. CROWLEY. Mr. Speaker, I thank my friend and colleague from New York for yielding me this time.

I introduced this legislation, the Medal of Valor for America's Heroes Act, with the gentleman from New York (Mr. FOSSELLA) and the gentleman from New York (Mr. ENGEL) and well over 250 other Members of Congress as a way to thank those brave men and women and dedicated public safety officers who risked their lives and, in far too many cases, lost their lives to protect countless thousands of others, whether it be on September 11 or any of the other 364 days of the year. This bill will provide a Medal of Valor award, the highest national award for valor for a public safety officer, to the public safety officers who perished in the attacks of September 11 of this year, as well as allow other officers who served above and beyond the call of duty to also receive recognition.

By honoring those who died, we also honor those who live on and embody the spirit of those who paid the ultimate sacrifice for the well-being of others. Over the coming years, we will hear tremendous stories of heroic measures. One such story I have heard already is that of Captain Patrick Brown of the 3 Truck on 13th Street in Manhattan. My cousin Michael, whose brother John was killed on that fateful day, works in 3 Truck on 13th Street and was a close friend to Pat and 11 of the members of that firefighter unit that were lost that day.

He told me of a radio message that day from the 32nd floor of Tower One. Mike had told me that Pat and other members of 3 Truck were with about 40 injured people on their way down from the building. Pat Brown was one of the most decorated members of the FDNY and when he spoke, everyone listened. A few moments after giving his location in the tower, he radioed again, except this time it was a May Day call and that the walls of the building were buckling. This was a full 10 minutes before the building actually collapsed. It gave firefighters and unknown numbers of rescue workers and victims time to evacuate the building.

Pat Brown and the other men of 3 Truck were in impeccable condition and could have easily gotten out of the building, but Pat Brown called back on his radio that he would be staying behind, that he and the other members from Truck 3 would be staying behind with the injured victims, knowing that they too would meet the same fate. If that is not heroism, I do not know what is.

While these people do not want our accolades, we the survivors and mourners feel the need to extend to them not only our gratitude but also something larger that states that they are not forgotten. This is the first time that this award will be bestowed, and I am encouraging the Attorney General to use the remains of the World Trade Center as the metal for this award, the metallic structure that is now a debris on Staten Island, an award that is an official recognition of the heroic works of the people who do not view their work as heroic. It is a way to say thank you to those who do not believe they deserve thanks for doing their job, and it is a way for us to recognize the heroic actions, not only for those who died but those who still work on protecting all of us each day. It is a way that someone like myself, who was affected by the tragedy on so many levels, can say thank you to my cousin John Moran, who did what he considered was his job and what I consider an act of bravery.

For far too long, many of us have taken our fire, police and emergency medical personnel for granted. This bill acts as a public thank you, both to those that perished and those that still work on to protect our civil society. But let us not all support this resolution and think we have done all we need to do for our public safety officers. We need to not only salute them and respect them every day, but we need to advocate for them as well. Congress needs to pass legislation to create a new Fire Corps to bring up to 75,000 new firefighters into our communities. And every community and our Federal Government needs to remember the heroism seen in Virginia, Pennsylvania and especially in New York City when calculating their budgets. We can no longer shortchange these people with respect to their livelihoods, with respect to their pay and benefits.

My friend and colleague the gentleman from New York (Mr. WEINER) successfully led the charge to increase the Public Safety Officers Benefit. I salute him for that. And our New York delegation has worked to ensure that emergency medical personnel are covered under the PSOB program as well in this case. But they should be completely covered under this valuable program in all circumstances.

The work of the police, fire and EMT professionals, and they are professionals, is not very glamorous but it is critical and should be celebrated. While everyone in our Nation hopes and prays that we never have a tragedy like the one of September 11 again, let us hope that we all learn from it. Let us hope that we never take these people for granted, the people who run into burning buildings when everyone else is running out; the people that chase after criminals rather than hide and get out of their way; the people that resuscitate and provide for our sick and dying rather than panic and overreact. And let this award serve as a beginning and not an end to the accolades that these heroes so rightly deserve.

On that terrible day of September 11, 2001, Osama bin Laden, al-Qaeda and all those responsible for these terrorist attacks only saw the twin towers of the World Trade Center. They failed to see

the millions and millions of patriots behind them, and that will lead to their downfall. The men and women of the New York Fire Department, Police Department, Port Authority Police and EMS and EMT and volunteer workers were the first in line behind the twin towers.

In conclusion, I want to thank Chairman SENSENBRENNER, Ranking Member CONYERS and my good friend and colleague the gentleman from New York (Mr. NADLER) for the committee's expedited treatment of this bill, as well as the outpouring of support from my colleagues in Washington, my neighbors in New York and all the people of the country for their appreciation of America's everyday heroes.

Mr. NADLER. Mr. Speaker, I yield 3 minutes to the gentleman from Virginia (Mr. MORAN).

Mr. MORAN of Virginia. I thank my friend and colleague the gentleman from New York (Mr. NADLER) for yielding time.

Mr. Speaker, on September 11, the world watched in horror as the symbol of our Nation's wealth, the World Trade Center, and our Nation's military might, the Pentagon, were viciously attacked. There is an aching in our hearts as we mourn for the senseless loss of life and we share the grief of the victims' families, friends and coworkers.

As the list of casualties from Pennsylvania, the World Trade Center and the Pentagon grows to over 5,000 people, it is frightening to imagine that the toll would have been higher were it not for the extraordinary courage and valor exhibited by our firefighters, police officers and emergency rescue workers. That is the reason that I so strongly support House Concurrent Resolution 243, which will allow us to honor the valor of the public safety officers who answered the call of duty on September 11. In my own congressional district, the brave and heroic men and women of the Arlington County, City of Alexandria and Fairfax County Fire and Rescue Departments and Police Departments should be particularly honored.

These, along with the Federal firefighters at Fort Myer and the Defense Protection Service, were the emergency personnel who first responded to the attack on the Pentagon. Every day these men and women face risks and challenges that few of us can relate to. It is our natural reaction when there is a fire to run away from it. Their professional responsibility is to run into it. On September 11, with little regard for their own safety and well-being, they responded within minutes after the attack on the Pentagon. The Arlington County Fire and Police Departments, which have primary responsibility for first response at the Pentagon, were right there on the scene along with the firefighters and Emergency Medical Service personnel from Alexandria and Fairfax Counties who were assisted by any number of other response teams from around the area and really around the country. They courageously fought the flames, rescued victims trapped inside the building, and treated and transported the injured.

Mr. Speaker, I would like to express my wholehearted gratitude towards these men and women on behalf of the families whose loved ones were saved because of their heroic efforts. Together with the Fire and Police Departments of New York City, they do deserve our admiration and our pride. I trust that this resolution will pass unanimously. I commend the gentleman from New York for offering it, and I appreciate the opportunity to support it.

Mr. ENGEL. Mr. Speaker, I rise today in strong support of this resolution to provide the Public Safety Office Medal of Valor to some of the greatest heroes our Nation has ever known. I want to thank my colleague from New York for introducing and shepherding this through the House so quickly. I also want to take this opportunity to extend my heartfelt condolences to him for the personal loss he has suffered as a result of September 11th.

The men and women who responded to the World Trade Center, Pentagon, and Pennsylvania crash site put themselves in harm's way in order to save the lives of countless others. In the case of New York, we all know that there were tragic results. As I watched from my apartment in the Bronx, not only did the World Trade Center Towers come crashing down, but hundreds of firefighters lost their lives. I must admit at that moment I was full of despair.

But then, like a light shining through the dark storm clouds, I saw even more emergency personnel going into Ground Zero. Through the horror of the events, my spirits rose as I saw time and time again, firefighters, police officers, and emergency medical personnel pull people out.

It is very fitting that we honor these men and women with this medal. I urge my colleagues to vote yes on this resolution.

Mr. FERGUSON. Mr. Speaker, I stand in support of H. Con. Res. 243.

Earlier this year we had the opportunity to create the Public Safety Officer Medal of Valor.

Today we have the obligation to use this medal to honor those who have served the public safety of our Nation.

Mr. Speaker, this bill does more than urge the president to award the Medal of Valor—the highest honor for public safety officers—to those who were killed in the terrorist attacks of September 11.

It also honors those who displayed valor above and beyond the call of duty through their heroic actions on that fateful day, and during the rescue and recovery missions that followed.

These brave souls, although not public safety officers, still acted in line with and gave their lives for the highest ideals of that fine profession.

Mr. Speaker, I think of the courageous men and women of the Port Authority who, because of where they worked, felt empowered and compelled to risk and, in some cases, sacrifice their lives to help their fellow workers in the World Trade Center. By going above and far beyond the call of duty, these real heroes gave us something to be proud of and someone to look up to.

These valiant individuals are also public safety officers, employed by a situation out of their control and paid by an opportunity to serve their fellow man.

Mr. Speaker, I would also like to offer my thanks and praise to New Jersey Port Authority Chairman Lew Eisenberg. I struggle to imagine what these past weeks would have been like without his leadership and caring attention to the technical and human concerns we have all shared.

I can think of no more fitting tribute to these men and women than the awarding of the Public Safety Officer Medal of Valor.

I ask my colleagues to remember their support for the creation of this medal, and ask them to recall why we did it.

I believe it was for such an occasion of bravery as September 11 inspired that we voted Yes on that day, and why we must also vote Yes today.

Ms. JACKSON-LEE of Texas. Mr. Speaker, last May this body established the Public Safety Officer Medal of Valor to honor those firemen, police officers, EMTs, and other who demonstrate ''extraordinary valor above and beyond the call of duty.''

That action was prescient because we are now faced with a situation that warrants the distribution of this highest honor to a number of heroes within the public safety sector that exemplify its standards. H. Con. Res. 243 rightly expresses the sense of this body that those public safety officers that lost their lives in the September 11 attacks on American soil should be conferred this high honor. This body is also right to declare that there are other public safety officers who deserve special recognition for their actions in the aftermath of these attacks.

As we continue to fight this new war, Americans are constantly reminded that the nature of a public safety officer's job involves the potential for the ultimate sacrifice. As the representatives of the American people, our actions today reflect the gratitude of our constituents to those who work to ensure a stable, safe, and just society.

In his famous 1838 address before the Young Man's Lyceum of Springfield, Illinois, Abraham Lincoln spoke the following words regarding danger within our nation's borders:

> ''At what point then is the approach of danger to be expected? I answer, if it ever reach us, it must spring up amongst us. It cannot come from abroad. If destruction be our lot, we must ourselves be its author and finisher. As a nation of freemen, we must live through all time . . .''

Though Lincoln's words did not portend the blending of home and abroad in the manner that it has presented itself, his sentiment is as relevant now as it was then. Our public safety officers allow us the best hope of destroying the dangers we now see before us. Finding a fitting testament to their bravery is the obligation of this great Nation.

Mr. GILMAN, Mr. Speaker, I rise in strong support of H. Con. Res 243, respectfully calling on the President to award and present, in the name of Congress, a public safety officer Medal of Valor to those public safety officers who were killed in the terrorist attacks in the United States on September 11, 2001. This resolution also requests that the President

honor other select public safety officers who displayed valor and courage above and beyond the call of duty on September 11th and in the subsequent rescue and recovery efforts that followed the terrorist attacks on our Nation.

On that horrible day in September, a day of infamy, our Nation witnessed the best and the worst of humanity. The despicable and cowardly terrorist acts were valiantly countered with the incredible heroism and courage of our firefighters, law enforcement officers, emergency personnel, and our fellow citizens.

It is incumbent upon our Nation to honor these heroes, be they here or departed. Bestowing the Public Safety Officer Medal of Valor on these deserving men and women. It is a fitting tribute to their memory and their contribution to our Nation's freedom. Accordingly, I urge my colleagues to fully support this important measure.

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

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

The SPEAKER pro tempore (Mr. PETRI). The question is on the motion offered by the gentleman from Wisconsin (Mr. SENSENBRENNER) that the House suspend the rules and agree to the concurrent resolution, H. Con. Res. 243.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds of those present have voted in the affirmative.

Mr. SENSENBRENNER. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX and the Chair's prior announcement, further proceedings on this motion will be postponed.

FEDERAL LONG-TERM CARE INSURANCE AMENDMENTS ACT

Mrs. JO ANN DAVIS of Virginia. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 2559) to amend chapter 90 of title 5, United States Code, relating to Federal long-term care insurance.

The Clerk read as follows:

H.R. 2559

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

SECTION 1. DEFINITION OF AN ANNUITANT.

Paragraph (2) of section 9001 of title 5, United States Code, is amended to read as follows:

''(2) ANNUITANT.—The term 'annuitant' means—

''(A) any individual who would satisfy the requirements of paragraph (3) of section 8901 if, for purposes of such paragraph, the term 'employee' were considered to have the meaning given to it under paragraph (1) of this subsection; and

''(B) any individual who—

''(i) satisfies all requirements for title to an annuity under subchapter III of chapter 83, chapter 84, or any other retirement system for employees of the Government (whether based on the service of such individual or otherwise), and files application therefor;

''(ii) is at least 18 years of age; and

''(iii) would not (but for this subparagraph) otherwise satisfy the requirements of this paragraph.''.

SEC. 2. PREEMPTION.

Section 9005 of title 5, United States Code, is amended—

(1) by inserting ''(a) CONTRACTUAL PROVISIONS.—'' before ''The''; and

(2) by adding at the end the following:

''(b) PREMIUMS.—

''(1) IN GENERAL.—No tax, fee, or other monetary payment may be imposed or collected, directly or indirectly, by any State, the District of Columbia, or the Commonwealth of Puerto Rico, or by any political subdivision or other governmental authority thereof, on, or with respect to, any premium paid for an insurance policy under this chapter.

''(2) RULE OF CONSTRUCTION.—Paragraph (1) shall not be construed to exempt any company or other entity issuing a policy of insurance under this chapter from the imposition, payment, or collection of a tax, fee, or other monetary payment on the net income or profit accruing to or realized by such entity from business conducted under this chapter, if that tax, fee, or payment is applicable to a broad range of business activity.''.

SEC. 3. EFFECTIVE DATE.

The amendments made by this Act shall take effect as if included in the enactment of section 1002 of the Long-Term Care Security Act (Public Law 106–265; 114 Stat. 762).

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from Virginia (Mrs. JO ANN DAVIS) and the gentleman from Illinois (Mr. DAVIS) each will control 20 minutes.

The Chair recognizes the gentlewoman from Virginia (Mrs. JO ANN DAVIS).

GENERAL LEAVE

Mrs. JO ANN DAVIS of Virginia. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on the bill, H.R. 2559.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from Virginia?

There was no objection.

Mrs. JO ANN DAVIS of Virginia. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise in strong support of H.R. 2559. Last year, Congress enacted the Long-Term Care Security Act. That bill established a program to permit the Federal Government to offer private long-term care insurance at a group discount as an employment benefit. Beginning in October of 2002, Federal employees, civilian retirees and active and retired members of the military will be eligible to purchase long-term care insurance through this new program.

□ 1445

H.R. 2559 will improve that program. This bill expands the population served by the Federal Government's long-term care program.

Mr. Speaker, many individuals leave Federal employment before they are entitled to an immediate annuity, even though they worked long enough to earn retirement at a later date. Currently they are not eligible to participate in the long-term care insurance program. H.R. 2559 will rectify this situation. Such individuals will be eligible to buy long-term care insurance through the program when they file for their deferred annuity.

In order to hold down premium costs, the bill also exempts policies issued under the program from premium taxes imposed by States, local governments, and the Commonwealth of Puerto Rico. Similar exemptions already exist for premiums paid under the Federal Employees Health Benefits Program and Federal Employees Group Life Insurance Program.

Exempting premiums from these taxes will reduce premiums in two ways. First, of course, the cost of long-term care insurance will be lower simply because the premiums will not have to build in the amount of the taxes. Second, the carriers will not have to incur the cost of complying with the wide array of premium tax laws that differ from jurisdiction to jurisdiction.

Lower costs mean lower premiums. The Office of Personnel Management estimates that the exemption will shave long-term care premiums by 2.5 percent. This is important because potential consumers of long-term care insurance are very sensitive to price.

I would also note, Mr. Speaker, that the Long-Term Care Security Act intends that the Office of Personnel Management will perform many of the consumer protection functions traditionally conducted by State insurance commissioners. These changes will be effective as if enacted in the Long-Term Care Security Act and will substantially improve the Federal Government's long-term care insurance program.

I encourage all Members to support H.R. 2559.

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

Mr. DAVIS of Illinois. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I am pleased to be an original cosponsor of H.R. 2559. It will improve the Federal long-term care insurance program, which was created last year by the Long-Term Care Security Act.

Last session, the gentleman from Florida (Mr. SCARBOROUGH), the gentleman from Maryland (Mr. CUMMINGS), the gentlewoman from the District of Columbia (Ms. NORTON), the gentlewoman from Maryland (Mrs. MORELLA), the gentleman from Florida (Mr. MICA), and the gentleman from Maine (Mr. ALLEN) worked in a bipartisan way to bring a long-term care insurance program to Federal employees.

The Long-Term Care Security Act authorizes the Office of Personnel Management to purchase group long-term insurance policies from qualified private sector contractors, thereby making long-term care insurance available to Federal employees, Federal retirees, and their family members. The corrections to the Long-Term Care Security

Act proposed in H.R. 2559 will continue to ensure that the best possible program is being designed for Federal employees.

Under the Long-Term Care Corrections Act, all Federal employees entitled to an annuity under the Federal Retirement System will be eligible to participate in the long-term care program, as was intended when the Long-Term Care Security Act was enacted.

Additionally, as in the case with the health and life insurance policies issued through the Federal Employees Health Benefits Program and the Federal Employees Group Life Insurance Program, long-term care insurance policies issued through the Federal long-term care program would be exempt from premium taxes imposed by States and local governments, making premiums competitive for Federal employees. Obviously, this program improves substantially the health benefits program for Federal employees.

Mr. Speaker, I yield such time as he may consume to the gentleman from Virginia (Mr. MORAN).

Mr. MORAN of Virginia. Mr. Speaker, I thank the distinguished gentleman from Illinois for yielding me time.

Mr. Speaker, I just want to rise to reflect the broad-based support that this provision has within the Congress. This is not going to cost the American taxpayer any money, but it will provide some personal security for the great many Federal employees who need long-term care insurance.

This was a good idea. There were any number of Members, particularly from the Washington metropolitan area, who pushed it. It is an important benefit, and it is one that all of the Federal workers throughout the country are going to appreciate. And particularly at this time when they are working under such fear and anxiety, it is the appropriate thing to do. I know it will be much appreciated.

So I strongly support this measure. I thank the gentlewoman from Virginia and the gentleman from Illinois for bringing it to the floor today.

Mr. DAVIS of Illinois. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I simply reiterate my strong support for this excellent legislation.

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

Mrs. JO ANN DAVIS of Virginia. Mr. Speaker, I yield myself such time as I may consume.

H.R. 2559 has strong bipartisan support. The Office of Personnel Management and long-term care insurers also support it. It will substantially improve the Federal Government's long-term care insurance program, and I urge all Members to support this measure.

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

The SPEAKER pro tempore (Mr. PETRI). The question is on the motion offered by the gentlewoman from Virginia (Mrs. JO ANN DAVIS) that the House suspend the rules and pass the bill, H.R. 2559.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds of those present have voted in the affirmative.

Mrs. JO ANN DAVIS of Virginia. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX and the Chair's prior announcement, further proceedings on this motion will be postponed.

CONGRATULATING BARRY BONDS FOR RECORD-BREAKING SEASON

Mrs. JO ANN DAVIS of Virginia. Mr. Speaker, I move to suspend the rules and agree to the resolution (H. Res. 266) congratulating Barry Bonds on his spectacular, record-breaking season for the San Francisco Giants and Major League Baseball.

The Clerk read as follows:

H. RES. 266

Whereas Barry Bonds has brought distinction to Major League Baseball and excellence to the San Francisco Giants, following in the baseball footsteps of his father, Bobby Bonds, and his godfather, Willie Mays;

Whereas Barry Bonds has had an outstanding career that so far includes 3 Most Valuable Player awards, 10 All-Star Game appearances, 8 Rawlings Gold Glove awards, and the distinction of being named Player of the Decade for the 1990s by the Sporting News;

Whereas in 2001 Barry Bonds had one of the greatest seasons in Major League Baseball history, achieving 73 home runs, a slugging average of .863, and an on-base percentage of .515;

Whereas Barry Bonds has established himself as the most prolific single-season home run hitter in Major League Baseball history, hitting his 73rd home run on October 7, 2001, eclipsing the previous record of 70 home runs set by Mark McGwire in 1998;

Whereas Barry Bonds has attained the rank of 7th place on the all-time Major League Baseball home run list with 567;

Whereas Barry Bonds drove in 136 runs to set a Giants franchise record for runs batted in by a left fielder, and has recorded at least 100 RBI's in each of 10 different seasons;

Whereas of Bonds' 73 home runs, 24 gave San Francisco the lead and 7 tied the game;

Whereas Barry Bonds also hit the 500th home run of his career during the 2001 season, a 2-run game-winning home run which landed in the waters of McCovey Cove, San Francisco;

Whereas Barry Bonds, at age 37, is the oldest player in Major League Baseball history to hit more than 50, 60, and 70 home runs in a single season;

Whereas Barry Bonds has recorded 484 stolen bases in his career, becoming the only Major League Baseball player to both hit more than 400 home runs and steal more than 400 bases;

Whereas Barry Bonds' 233 stolen bases achieved while playing for San Francisco place him 6th on the Giants franchise list behind his father, Bobby, who is 5th with 263 stolen bases;

Whereas Barry Bonds has proven himself to be an active leader not only in the Giants clubhouse but also in the community, donating approximately $100,000 to the September 11th Fund to aid the victims of the terrorist attacks in New York, Washington, D.C., and Pennsylvania; and

Whereas Barry Bonds has also devoted his time and money to support the Link & Learn Program of the United Way, and has been an active participant in numerous other San Francisco Bay area community efforts: Now, therefore, be it

Resolved, That the House of Representatives congratulates Barry Bonds on his spectacular record-breaking season in 2001 and outstanding career in Major League Baseball, wishes him continued success in the seasons to come, and thanks him for his contributions to baseball and to his community.

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from Virginia (Mrs. JO ANN DAVIS) and the gentleman from Illinois (MR. DAVIS) each will control 20 minutes.

The Chair recognizes the gentlewoman from Virginia (Mrs. JO ANN DAVIS).

GENERAL LEAVE

Mrs. JO ANN DAVIS of Virginia. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on H.Res. 266.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from Virginia?

There was no objection.

Mrs. JO ANN DAVIS of Virginia. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I commend my distinguished colleagues, the gentlewoman from California (Ms. PELOSI), the author of this resolution; and the gentleman from California (Mr. OSE), who sponsored a similar resolution, House Resolution 262, for introducing these measures.

This resolution congratulates Barry Bonds for his spectacular record-breaking season in 2001 and his outstanding career, wishes him continued success, and thanks him for his contributions to baseball and his community.

Mr. Speaker, no player has hit as many home runs, 73, in a single season, as San Francisco Giants outfielder Barry Bonds did during this baseball season; but he also accomplished much more than just setting this record. To fully appreciate the remarkable season that Barry Bonds had this year, we must also consider these other achievements.

During this season, Barry Bonds had the highest slugging percentage in a single season at .863. He joined the immortal Babe Ruth as the only hitter to finish a season with a slugging percentage over .800. Furthermore, Barry Bonds had an on-base percentage of .515 in the past 100 years, only four other players finished a season above the .500 mark. Barry Bonds is the first to do so since 1957. He also broke the single-season record for walks with 177.

These accomplishments further adorn a career noted for excellence. Barry Bonds has received three Most Valuable Player awards, eight Gold Gloves, and was named Player of the

Decade for the 1990s by the Sporting News.

Mr. Speaker, Barry Bonds's roots in California run deep. He was born in Riverside, California. He graduated from Sierra High School in San Mateo. After attending college at Arizona State, he now both plays professional baseball and resides in California.

His community activity has included generous support of the United Way's Link & Learn Program and many other San Francisco Bay Charities. He also donated around $100,000 to the September 11 fund to aid the victims of the terrorist attacks.

Barry Bonds has been a beacon of quiet resolve and hard work and an inspiration to his teammates and to all Americans. I urge all Members to recognize Barry Bonds's extraordinary athletic achievements and his community spirit by supporting this resolution.

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

Mr. DAVIS of Illinois. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I must confess that I grew up as a Brooklyn Dodgers and St. Louis Cardinals fan; and then after moving to Illinois, I became a White Sox and a Cubs fan. But on Sunday, October 7, I think everybody who loves baseball was a San Francisco Giants fan, because it was on Sunday, October 7, 2001, that Barry Bonds, the San Francisco Giants outfielder, hit his 73rd home run, a Major League record, and shattered the slugging percentage record that Babe Ruth held since 1920.

16 years ago, Bonds started out as a Pittsburgh Pirate, when he was sixth in Rookie of the Year. Today, Bonds has passed some of baseball's greatest legends on the career home run list.

Bonds finished the season with a .328 batting average, career high 137 RBIs, and a slugging percentage of .863, easily surpassing the mark of .847 that Ruth set in 1920. Bonds also broke Ruth's major league record by walking 177 times this season, ending up with an on-base percentage of .515, best in the majors since 1957, and tops in the National League since John McGraw's mark of .547 in 1899.

Bonds homered every 6.52 at-bats this season, beating the Major League record of a homer each 7.27 at bats that Mark McGwire set while hitting 70 home runs in 1998.

Voted Player of the Decade for the 1990s by the Sporting News, Bonds was the first player ever to win the league's Most Valuable Player award three times in four seasons.

This resolution congratulates Barry Bonds for his hard work and extraordinary achievements, and I certainly join with the gentlewoman from California (Ms. PELOSI) in supporting House Resolution 262.

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

Mrs. JO ANN DAVIS of Virginia. Mr. Speaker, I yield such time as he may consume to the gentleman from California (Mr. OSE).

Mr. OSE. Mr. Speaker, I thank the gentlewoman from Virginia for yielding me time.

Mr. Speaker, I cannot tell you how pleased I am to be down here. Having been born and raised in California, I have been a life-long San Francisco Giants fan, even though they only arrived in 1958.

It gives me great pleasure to stand today and commend this resolution to my colleagues. My connection with Barry Bonds is not only that I come from Northern California and bleed San Francisco Giants colors; but his agent is a family friend of mine, Mr. Scott Boras.

How many of you can recall the names McCovey, Mays, Marichal, Haller, Tito Fuentes, Jimmy Davenport, Jim Ray Hart? It is a long list of names that are steeped in Giants history that lead us to today's proceedings.

Barry Bonds, in fact, may have started with the Pittsburgh Pirates; but in fact he is a San Francisco Giants. His father, Bobby Bonds, came up into the majors serving with the San Francisco Giants; and in his first at-bat hit a grand slam home run, something that has not been often repeated in the major leagues.

Orlando Cepeda, the Hall of Famer with the San Francisco Giants, is one of those who also served with the Giants; Ron ''Bear'' Bryant, who in 1973 won 24 games; John ''The Count'' Montefusco, anybody from San Francisco or Northern California knows that name. Frank Robinson, who was the National League's first black manager, served with the Giants beginning in 1981. Jim Ray Hart and Jim Davenport; Tom Haller, Will Clark, ''Will the Thrill'' Clark. And his teammate Kevin Mitchell, who last took the Giants to the World Series with the Oakland A's.

More recently we have had others. We have had Jeff Kent, Rich Aurilia, and Robb Nen, all adding to the Giants legacy.

But in 2001, we had Barry Bonds and no one else. On August 11, he became the oldest player to ever hit 50 home runs. But do you know what? He did not stop there. He kept swinging. He kept popping that ball out into McCovey Cove, and the Giants kept winning.

As the gentleman from Illinois said, on October 7, as everyone sat riveted in their living rooms and their family rooms across this country, Barry Bonds went yard a 73rd time.

□ 1500

In the process, he broke Mark McGuire's single season record and, I have to say, a few years back when I watched Mr. McGuire make his challenge, that was a stirring time also.

Bonds broke Maris' record for the most home runs for a left-hander; no asterisk, no nothing, he just did it. He broke McGuire's and Babe Ruth's record for most home runs on the road and, as the gentleman from Illinois (Mr. DAVIS) said, with a home run every 6.5 at bats, he broke McGuire's record there also. He broke Babe Ruth's record of 170 walks in a single season by walking 177 times. Can anyone imagine that? In the major leagues, the pitchers chose to walk Barry Bonds 177 times. Let me tell my colleagues, the other 29 franchises in the major leagues, you guys are a bunch of chickens; you would not pitch to him. Who knows how many he would have had. He could have had 100 home runs if you would have pitched to him.

He had a slugging percentage of 863, breaking Roger Hornsby's previous single season record of 76 and passing Babe Ruth's major league record of 847. He was on base over half the time. Counting the walks, he was on base every other time he came to bat. That is the first time since 1957 anybody has bat over 500 and the first time in the National League since 1924.

Mr. Speaker, the San Francisco Giants are a long and storied franchise. I have to say these names: Mays, Marichal, McCovey, Cepeda, Tito Fuentes, and the others that I grew up rooting for. These are all great giants, but none have been greater than Barry Bonds in this past year. Just remember that number: 73.

We have struggled over the past 6 or 7 weeks in this country trying to keep things together. My heart goes out to everybody who has suffered a loss. In this time of trouble, and in this time of tragedy, and in this time of trial, I have to say that America has looked to those boys of spring and those boys of summer and, finally, we have looked to Barry Bonds to give us that shining example of what one person can do, even when the other 29 teams are working against him.

Mr. Speaker, I commend this resolution to my colleagues in this House. I compliment the gentlewoman from California (Ms. PELOSI) for bringing this forward. I am a Giants fan from day one and I will be a Giants fan to the last day and the last breath. Thank God for Barry Bonds and the Giants this year. I urge an ''aye'' vote on this resolution.

Mr. DAVIS of Illinois. Mr. Speaker, it is my pleasure to yield 6 minutes to the gentleman from California (Mr. LANTOS). I do not know how many home runs the next speaker has hit, but I can tell my colleagues that he has struck many a blow for human rights and for the rights and liberties of people all over the world.

Mr. LANTOS. Mr. Speaker, I first would like to thank my dear friend and distinguished colleague, the gentleman from Illinois, for yielding. I want to congratulate the gentlewoman from California (Ms. PELOSI), my friend, neighbor, and whip-elect, for bringing this resolution to the floor. I am truly delighted that my training, Mr. Speaker, is in economics, because a knowledge of statistics is indispensable in

dealing with this giant in American politics.

Mr. Speaker, I am delighted to urge all of my colleagues to join the gentlewoman from California (Ms. PELOSI) and me in supporting House Resolution 266, which congratulates Barry Bonds for his achievement in breaking the major league baseball record for home runs in a single season, and to thank him for his contributions both to baseball and our community.

On October 7 of this year, in beautiful PacBell Stadium in San Francisco, Barry Bonds hit his 73rd home run. This took him past Mark McGuire's previous record of 70 home runs in a single season. In addition, Barry also broke Babe Ruth's record for slugging average, once thought to be untouchable. Mr. Speaker, Barry Bonds did not merely eclipse Ruth's record; he shattered it, setting the new average 16 points above the previous mark. He also set the major league record for walks, drawing 177, a testament to the fear he instilled in opposing pitchers.

Mr. Speaker, at the end of this year's baseball season, Barry Bonds had finished in the top 10 in four major offensive statistical categories: home runs, batting average, runs batted in, and runs scored. He finished the season in seventh place on the all time home run list with 567 career home runs, and I can relate to that, Mr. Speaker. He became the oldest player in major league history to hit more than 50, 60 or 70 home runs in a single season. This dazzling offensive output is what the fans of the San Francisco Giants as well as baseball fans around the Nation have come to expect from this three-time National League Most Valuable Player. This past Sunday, Barry's peers added yet another accolade to his resume: 2001 Players' Choice Player of the Year.

Mr. Speaker, I say this with local pride, but I firmly believe that Barry Bonds' talents can be traced to the fact that he grew up in San Mateo, California, which, I might add, is at the very heart of my own congressional district. His domination of the baseball diamond at Sierra High School in San Mateo is legendary to this very day. Barry grew up around baseball and from a young age he showed star potential. Both Barry's father Bobby and his godfather, Willie Mays, were professional baseball players.

In addition to his baseball exploits, Barry Bonds has been actively involved in community and public service. Since September 11 he has donated $100,000 to the fund to aid the victims of the September 11 terrorist attacks. His generous contribution was matched by both major league baseball and the San Francisco Giants, bringing the total of $300,000 for the assistance of the victims of this horrific tragedy. Barry's involvement in the community also includes the Barry Bonds family foundation, which he established 7 years ago, which is headed by his mother, Pat Bonds. The foundation supports activities and programs to improve education and quality of life for the Bay Area's African American youth. The foundation also supports other charities, such as the Adopt a Special Kid Program and the Joe DiMaggio Children's Hospital. Both Barry Bonds and his foundation are also involved in the United Way's ''Link and Learn'' program. This educational program focuses on raising student achievement by increasing parent involvement, access to tutoring, and exposure to interactive educational technology among low-income children and their families.

Mr. Speaker, it is crystal clear that Barry Bonds is an exceptional baseball player, and he used his celebrity and talents to benefit our community. I encourage all of our colleagues to join me in supporting this resolution, which appropriately honors Barry Bonds for his record-breaking achievement.

Mr. DAVIS of Illinois. Mr. Speaker, it is my pleasure to yield 5½ minutes to the gentlewoman from California (Ms. PELOSI), the author of this resolution, who functions with the passion of a gladiator herself and is victorious most of the time in whatever it is that she sets out to do.

Ms. PELOSI. Mr. Speaker, I thank the gentleman from Illinois (Mr. DAVIS), the ranking member, for his generosity in yielding time and his kind words, and the gentlewoman from Virginia (Mrs. JO ANN DAVIS) for bringing this resolution to the floor. I am pleased to join my colleague, the gentleman from California (MR. LANTOS), a big Giants fan, in representing San Francisco and in honoring Barry Bonds today. I want to thank the gentleman from California (Mr. OSE), who also had a resolution about Barry Bonds, for his generosity in allowing the gentleman from California (Mr. LANTOS) and I to bring this resolution to the floor as we represent San Francisco. But as the gentleman knows, the Giants family extends well beyond that, and we are pleased to share this honor for Barry Bonds today with our California colleague, and I thank the gentleman. I appreciate his kindness. I also thank the Republican leadership for allowing a Democratic resolution honoring Barry Bonds to come to the floor.

Mr. Speaker, in an uncertain time in our country's history, this fall has been as bad as it gets for us. Our spirits were lifted as Barry Bonds hit his 73rd home run on October 7. For those of us who go to the Giants games, we could only say, just think what he would have done if they would have pitched to him, as my colleague said in his remarks. I was there for number 58 on Labor Day. I kept going to the games thinking I would see many more home runs and I saw some, but again, they did not always have the courage to pitch to Barry Bonds. I really hope that all of our colleagues will, in the spirit of friendship and competition, join in congratulating Barry Bonds on his spectacular record-breaking season for the San Francisco Giants and major league baseball.

Our resolution says, whereas Bonds has brought distinction to major league baseball and excellence to the San Francisco Giants, he was following in the footsteps of his father Bobby Bonds and his godfather Willie Mays. My colleagues have to come to San Francisco to see the Willie Mays statue on Willie Mays Plaza there. Barry Bonds has had an outstanding career and that so far includes 3 Most Valuable Player awards, 10 All Star Game appearances, 8 Rawlings Gold Glove awards and the distinction of being named Player of the Decade for the 1990s by Sporting News; whereas also, in 2001, Barry Bonds had one of the greatest seasons in major league baseball history, achieving the aforementioned 73 home runs, a slugging average of 863, and an on-base percentage of 515. Barry Bonds has established himself as the most prolific single season home run hitter in major league baseball history, again hitting his 73rd home run on October 7, 2001, eclipsing the previous record of 70 home runs set by Mark McGuire in 1998, and that seemed like an unachievable goal to break that record. Of Bonds' 73 home runs, 24 gave San Francisco the lead and 7 tied the game.

Bonds also hit the five-hundredth home run of his career during the 2001 season, a two-run game-winning home run which landed in the waters of McCovey Cove, something my colleagues must come visit as well when they come to San Francisco to our PacBell Stadium, which, by the way, is privately funded, very exceptional, again under the leadership of the Giants family headed by Peter McGowan.

Barry Bonds at 37 is the oldest player in major league baseball history to hit more than 50, 60 and 70 home runs in a single season. My daughter is 37 years old, and I remember when we went to Barry Bonds' 30th birthday, which seems like just yesterday. But in any event, he has even at that ripe old age of 37 broken many records.

Barry Bonds has recorded 484 stolen bases. Can we imagine that: Becoming the only major league baseball player to hit both more than 400 home runs and to steal more than 400 bases. Barry Bonds' 233rd stolen bases achieved while playing for San Francisco placed him sixth on a Giant franchise list behind his father, Bobby, who was fifth, with 263 stolen bases. So this is indeed a family affair.

Perhaps more important to Barry Bonds than even his baseball success is his record of community service. He has proven himself to be an active leader, not only in the Giants' club house, but also in the community, donating privately approximately $100,000 already to the September 11 Fund to aid the victims of the terrorist attacks in New York, Washington, and Pennsylvania. Barry Bonds has also devoted his time and personal financial resources to support the ''Link and Learn'' program of United Way and has been an active participant in numerous

other San Francisco Bay Area community efforts, just too numerous to mention.

□ 1515

Mr. Speaker, I urge all of my colleagues to join in very enthusiastically and resolve that the House of Representatives congratulate Barry Bonds on his spectacular, record-breaking season in 2001, and outstanding career in major league baseball.

This House wishes him continued success in the seasons to come, and thanks him for his contribution to baseball, and especially his contribution to the community.

Mrs. JO ANN DAVIS of Virginia. Mr. Speaker, I yield 2 minutes to my colleague, the gentleman from California (Mr. OSE).

Mr. OSE. Mr. Speaker, I thank the gentlewoman for yielding time to me.

Mr. Speaker, I would like to just share with the gentlewoman from San Francisco, I know Mr. Bonds hit number 73 against the Houston Astros, but in San Francisco, and in fact in the northern California area, in baseball, the ultimate opponent is the Los Angeles Dodgers, without any doubt.

I have to say, I do not know where the gentlewoman was when he hit number 71, but it was against the Los Angeles Dodgers. I just want to get that in the RECORD. When he turned on that fast ball, imagine the audacity on number 71.

It was the ninth inning and the Dodgers had some rookie in pitching, a little right-handed pitcher. He was throwing heat. Bonds was up and the game was basically over. This guy kept bringing the heat, and he would pitch one and it got by Bonds on strike one, and I think on strike two, I think Bonds actually turned to the catcher and said, ''You just put that ball there one more time.''

And the pitcher brought the fast ball again, and Bonds turned on, and there was never any doubt. I have to tell the Members, all over San Francisco and in northern California, Mr. Speaker, people jumped to their feet and said ''Yes, we broke the record against the Dodgers; life is good, congratulations, Barry Bonds; and we won the game.''

Mr. DAVIS of Illinois. Mr. Speaker, I yield myself such time as I may consume.

As one who used used to try and emulate those basket catches of Willie Mays, I am pleased to urge strong support for this resolution.

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

Mrs. JO ANN DAVIS of Virginia. Mr. Speaker, I yield myself the balance of my time.

Mr. Speaker, I again commend the distinguished gentlewoman and the gentleman from California for introducing the resolution to recognized Barry Bonds' achievements and working so hard to assure passage. I thank the gentleman from Indiana (Mr. BURTON), the chairman of the Committee on Government Reform, and the gentleman from California (Mr. WAXMAN), the ranking member, and the gentleman from Pennsylvania (Mr. WELDON) and the gentleman from Illinois (Mr. DAVIS), the chairman and ranking member of the Subcommittee on Civil Service and Agency Organization, for expediting consideration by the House.

I might add that the gentleman from Indiana (Mr. BURTON) wanted it known that he was personally very pleased that Mr. Bonds hit number 73.

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

The SPEAKER pro tempore (Mr. PETRI). The question is on the motion offered by the gentlewoman from Virginia (Mrs. JO ANN DAVIS) that the House suspend the rules and agree to the resolution, H. Res. 266.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the resolution was agreed to.

A motion to reconsider was laid on the table.

BENJAMIN FRANKLIN TERCENTENARY COMMISSION ACT

Mrs. JO ANN DAVIS of Virginia. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 2362) to establish the Benjamin Franklin Tercentenary Commission, as amended.

The Clerk read as follows:

H.R. 2362

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 referred to as the ''Benjamin Franklin Tercentenary Commission Act''.

SEC. 2. FINDINGS.

The Congress finds as follows:

(1) Benjamin Franklin was one of the most extraordinary men of the generation that founded the United States. Around the world, he remains one of the best-known Americans who has ever lived.

(2) Benjamin Franklin's achievements include his literary work, his creation of philanthropic and educational institutions, his significant scientific explorations, and his service to the Nation as a statesman and diplomat.

(3) Benjamin Franklin was the only American to sign all 5 enabling documents of the United States.

(4) All people in the United States could benefit from studying the life of Benjamin Franklin and gaining a deeper appreciation of his legacy to the Nation.

(5) January 17, 2006, is the 300th anniversary of the birth of Benjamin Franklin, and a commission should be established to study and recommend to the Congress activities that are fitting and proper to celebrate that anniversary in a manner that appropriately honors Benjamin Franklin.

SEC. 3. ESTABLISHMENT.

There is established a commission to be known as the Benjamin Franklin Tercentenary Commission (referred to in this Act as the ''Commission'').

SEC. 4. DUTIES.

(a) STUDY.—The Commission shall have the following duties:

(1) To study activities by the Government that would be fitting and proper to honor Benjamin Franklin on the occasion of the tercentenary of his birth, including but not limited to the following:

(A) The minting of a Benjamin Franklin tercentenary coin.

(B) The rededication of the Benjamin Franklin National Memorial at the Franklin Institute in Philadelphia, Pennsylvania, or other activities with respect to that memorial.

(C) The acquisition and preservation of artifacts associated with Benjamin Franklin.

(D) The sponsorship of publications, including catalogs and scholarly work, concerning Benjamin Franklin.

(E) The sponsorship of conferences, exhibitions, or other public meetings concerning Benjamin Franklin.

(F) The sponsorship of high school and collegiate essay contests concerning the life and legacy of Benjamin Franklin.

(2) To recommend to the Congress in one or more of the interim reports submitted under section 9(a)—

(A) the activities that the Commission considers most fitting and proper to honor Benjamin Franklin on the occasion of the tercentenary of his birth; and

(B) the entity or entities in the Federal Government that the Commission considers most appropriate to carry out such activities.

(b) POINT OF CONTACT.—The Commission, acting through its secretariat, shall serve as the point of contact of the Government for all State, local, international, and private sector initiatives regarding the tercentenary of Benjamin Franklin's birth, with the purpose of coordinating and facilitating all fitting and proper activities honoring Benjamin Franklin.

SEC. 5. MEMBERSHIP.

(a) NUMBER AND APPOINTMENT.—The Commission shall be composed of 15 members as follows:

(1) The Librarian of Congress.

(2) 14 qualified citizens, appointed as follows:

(A) 2 members appointed by the President.

(B) 2 members appointed by the President on the recommendation of the Governor of the Commonwealth of Pennsylvania.

(C) 2 members appointed by the President on the recommendation of the Governor of the Commonwealth of Massachusetts.

(D) 2 members, at least 1 of whom shall be a Senator, appointed by the majority leader of the Senate.

(E) 2 members, at least 1 of whom shall be a Senator, appointed by the minority leader of the Senate.

(F) 2 members, at least 1 of whom shall be a Member of the House of Representatives, appointed by the Speaker of the House of Representatives.

(G) 2 members, at least 1 of whom shall be a Member of the House of Representatives, appointed by the minority leader of the House of Representatives.

(b) QUALIFIED CITIZEN.—For purposes of this section, a qualified citizen is a citizen of the United States with—

(1) a substantial knowledge and appreciation of the work and legacy of Benjamin Franklin; and

(2) a commitment to educating people in the United States about the historical importance of Benjamin Franklin.

(c) TIME OF APPOINTMENT.—Each initial appointment of a member of the Commission shall be made before the expiration of the 120-day period beginning on the date of the enactment of this Act.

(d) CONTINUATION OF MEMBERSHIP.—If a member of the Commission was appointed to

the Commission as a Member of the Congress, and ceases to be a Member of the Congress, that member may continue to serve on the Commission for not longer than the 30-day period beginning on the date on which that member ceases to be a Member of the Congress.

(e) TERMS.—Each member shall be appointed for the life of the Commission.

(f) VACANCIES.—A vacancy in the Commission shall not affect the powers of the Commission and shall be filled in the manner in which the original appointment was made.

(g) BASIC PAY.—Members shall serve on the Commission without pay.

(h) TRAVEL EXPENSES.—Each member shall receive travel expenses, including per diem in lieu of subsistence, in accordance with applicable provisions under subchapter I of chapter 57 of title 5, United States Code.

(i) QUORUM.—Five members of the Commission shall constitute a quorum, but a lesser number may hold hearings.

(j) CHAIR.—The Commission shall select a Chair from among the members of the Commission.

(k) MEETINGS.—The Commission shall meet at the call of the Chair.

SEC. 6. ORGANIZATION.

(a) HONORARY MEMBERS.—The President—

(1) shall serve as an honorary, nonvoting member of the Commission; and

(2) may invite the President of France and the Prime Minister of the United Kingdom to serve as honorary, nonvoting members of the Commission.

(b) ADVISORY COMMITTEE.—The Commission shall form an advisory committee, to be composed of representatives of the major extant institutions founded by or dedicated to Benjamin Franklin, including the following:

(1) The Executive Director of the American Philosophical Society.

(2) The President of the Franklin Institute.

(3) The Librarian of the Library Company.

(4) The Director and Chief Executive Officer of the Philadelphia Museum of Art.

(5) The President of the University of Pennsylvania.

(c) ADMINISTRATIVE SECRETARIAT.—The Commission shall seek to enter into an arrangement with the Franklin Institute of Philadelphia, Pennsylvania, under which the Institute shall do the following:

(1) Serve as the secretariat of the Commission, including by serving as the point of contact under section 4(b).

(2) House the administrative offices of the Commission.

SEC. 7. POWERS.

(a) HEARINGS AND SESSIONS.—The Commission may, for the purpose of carrying out this Act, hold such hearings, sit and act at such times and places, take such testimony, and receive such evidence as the Commission considers appropriate.

(b) POWERS OF MEMBERS AND AGENTS.—Any member or agent of the Commission may, if authorized by the Commission, take any action that the Commission is authorized to take by this Act.

(c) OBTAINING OFFICIAL DATA.—The Commission may secure directly from any department or agency of the United States information necessary to enable the Commission to carry out this Act. Upon request of the Chair of the Commission, the head of that department or agency shall furnish that information to the Commission.

(d) MAILS.—The Commission may use the United States mails in the same manner and under the same conditions as other departments and agencies of the United States.

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

(f) PROCUREMENT.—The Commission may enter into contracts for supplies, services, and facilities to carry out the Commission's duties under this Act.

(g) DONATIONS.—The Commission may accept and use donations of—

(1) money;

(2) personal services; and

(3) real or personal property related to Benjamin Franklin or the occasion of the tercentenary of his birth.

SEC. 8. DIRECTOR AND STAFF.

(a) APPOINTMENT.—The Commission may appoint a Director and such additional personnel as the Commission considers to be appropriate.

(b) APPLICABILITY OF CERTAIN CIVIL SERVICE LAWS.—The 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, and may be paid without regard to the provisions of chapter 51 and subchapter III of chapter 53 of that title relating to classification and General Schedule pay rates.

SEC. 9. REPORTS.

(a) INTERIM REPORTS.—The Commission shall submit to the Congress such interim reports as the Commission considers to be appropriate.

(b) FINAL REPORT.—The Commission shall submit a final report to the Congress not later than January 16, 2007. The final report shall contain—

(1) a detailed statement of the activities of the Commission; and

(2) any other information that the Commission considers to be appropriate.

SEC. 10. TERMINATION.

The Commission shall terminate 120 days after submitting its final report pursuant to section 9(b).

SEC. 11. AUTHORIZATION OF APPROPRIATIONS.

There are authorized to be appropriated $500,000 for the period of fiscal years 2002 through 2007 to carry out this Act, to remain available until expended.

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from Virginia (Mrs. JO ANN DAVIS) and the gentleman from Illinois (Mr. DAVIS) each will control 20 minutes.

The Chair recognizes the gentlewoman from Virginia (Mrs. JO ANN DAVIS).

GENERAL LEAVE

Mrs. JO ANN DAVIS of Virginia. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on H.R. 2362, as amended.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from Virginia?

There was no objection.

Mrs. JO ANN DAVIS of Virginia. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I commend the distinguished gentleman from Pennsylvania (Mr. BORSKI) for introducing H.R. 2362. H.R. 2362 establishes a Benjamin Franklin Tercentenary Commission. This 15-member Commission will be charged with studying and recommending to Congress activities it considers most fitting and proper to honor Benjamin Franklin.

The Commission will also recommend the entity or entities in the Federal Government the Commission believes most appropriate to carry out those activities. It will coordinate and facilitate such activities.

The Commission will terminate in 2007. The bill authorizes appropriations for $500,000 over the life of the Commission.

January 17, 2006, is the 300th anniversary of Benjamin Franklin's birth. As the bill's findings observe, Franklin was one of the most extraordinary men of the extraordinary generation that founded the United States. Both here and abroad, he remains one of the best-known Americans who ever lived.

Mr. Speaker, it is impossible in the short time allotted for debate on this bill to fully recount Benjamin Franklin's achievements and his contributions to our Nation. The tenth son, and the fifteenth of the 17 children fathered by Josiah Franklin, a Boston soap and candlemaker, Benjamin Franklin became one of the most illustrious men of his age. He was the only American to sign all five enabling documents of the United States.

The achievements of this largely self-educated man included his literary work; his creation of philanthropic and educational institutions, including what became the University of Pennsylvania; his scientific explorations; and his service to the Nation as a statesman and diplomat.

Almost all Americans are familiar with Franklin's Poor Richard's Almanack, and such pithy sayings as ''A penny saved is a penny earned.'' We all know about his famous kite-flying experiment.

But Benjamin Franklin was also a prolific inventor. He invented bifocals; a catheter; the Franklin stove; a musical instrument, the glass harmonica; the lightning rod; and the odometer.

Franklin also founded the first fire department, and he established the first fire insurance company.

Franklin's political contributions to the Nation were also invaluable. To take just a few, Mr. Speaker, Franklin participated in drafting the Declaration of Independence. The Articles of Confederation in Perpetual Union that he submitted to the Second Continental Congress eventually served as a model for our first Constitution, the Articles of Confederation.

The secret committee that Franklin established at the request of the Second Congress to gain foreign support for America's fight for independence eventually evolved into the State Department.

During the Revolutionary War, Benjamin Franklin himself represented the fledgling Nation in France. In recognition of Franklin's diplomatic work both before and during the Revolutionary War, this bill permits the President to invite the President of France and the Prime Minister of the

United Kingdom to serve as honorary nonvoting members of the Commission.

Mr. Speaker, everyone in the United States can benefit from studying the remarkable life of Benjamin Franklin and gaining a deeper appreciation of his legacy to the Nation.

For this reason, Mr. Speaker, I urge all Members to support this important legislation.

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

Mr. DAVIS of Illinois. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, first of all, let me commend and congratulate the gentleman from Pennsylvania (Mr. BORSKI) for putting forth this resolution. I think it is not only timely, but absolutely important.

Mr. Speaker, during the Revolutionary War, Ben Franklin was quoted as saying, ''They that can give up essential liberty to obtain a little temporary safety deserve neither liberty nor safety.''

Ben Franklin's words have new meaning today as America engages in a war against terrorism and those who would strip us of our liberty and freedom by threatening our safety.

Though Benjamin Franklin stands tall among a small group of men we call our Founding Fathers, he identified with the ordinary citizen and strived to make their lives better.

He served as postmaster, helping to set up the postal system in Philadelphia, a system that is today being challenged by biochemical terror attacks.

In order to make Philadelphia a safer city, Mr. Franklin started the Union Fire Company in 1736. Those who joined the Union Fire Company in 1736 had the same mission as the brave men and women who ran to their deaths to save lives in two Twin Towers that were ablaze in New York City on September 11.

Benjamin Franklin knew all about liberty and freedom. He helped write the Declaration of Independence and the Constitution.

He was the only person to have signed all four of the documents which helped to create the United States: the Declaration of Independence, 1776; the Treaty of Alliance, Amity, and Commerce with France, 1778; the Treaty of Peace between England, France, and the United States, 1782; and the Constitution, in 1787.

What would he say about the terror attacks that threaten the very foundation of our country and his and our beliefs?

At the signing of the Declaration of Independence on July 4, 1776, Benjamin Franklin stated: ''We must all hang together, or assuredly we shall all hang separately.'' In these trying and challenging times, we must all hang together as Americans, as people who respect the differences of others, as people who believe in life, liberty, and the pursuit of happiness.

I urge my colleagues to support H.R. 2352, which will establish a Commission to recommend to Congress activities to celebrate the 300th anniversary of the birth of Benjamin Franklin. His words and deeds are part of our history, but will help us to overcome the challenges we face today and are sure to face tomorrow.

Mr. Speaker, I yield such time as he may consume to the gentleman from Pennsylvania (Mr. BORSKI).

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

Mr. BORSKI. Mr. Speaker, let me first thank the distinguished gentleman from Illinois (Mr. DAVIS) for yielding me this time.

I also want to commend the leadership of the floor manager, the gentlewoman from Virginia (Mrs. JO ANN DAVIS), for her leadership.

I also want to take a moment to thank the chairman of the subcommittee, the gentleman from Pennsylvania (Mr. WELDON), and particularly thank the chairman of the full committee, the gentleman from Indiana (Mr. BURTON), for his guidance in bringing this bill to the floor.

Mr. Speaker, I rise in strong support of H.R. 2362, the Benjamin Franklin Tercentenary Commission Act. This legislation would properly pay tribute to a Founding Father, statesman, inventor, and philosopher on January 17, 2006, the 300th anniversary of his birth. Benjamin Franklin is truly one of our Nation's great citizens.

This bill would establish a commission to study and recommend government activities to honor Benjamin Franklin on his 300th birthday, including the minting of a coin and sponsorship of a high school and collegiate essay contest concerning the life and legacy of Benjamin Franklin.

Additionally, this legislation would serve as a contact point for State, local, international, and private sector initiatives.

H.R. 2362 would seek to have the Franklin Institute of Philadelphia, which was founded under Mr. Franklin's bequest, and is the most frequently visited museum in the Commonwealth of Pennsylvania, serve as the Secretariat of the Commission and house the Commission's administrative offices.

Mr. Speaker, without question, this legislation would hallmark the admiration we have for Mr. Franklin, who was considered a citizen of the world, a friend to all, and an enemy to none.

Mr. Franklin's accomplishments include founding the Pennsylvania Gazette, founding the Nation's first library, founding the first volunteer fire brigade; serving as Philadelphia's postmaster, and later as Postmaster General of the American Colonies; proposing the creation of the University of Pennsylvania; performing the first kite-flying experiment, which led to the evolution of electricity; establishing the first fire insurance company; and, of course, Mr. Speaker, serving the Continental Congress, signing the Declaration of Independence, and presiding at the Constitutional Convention.

In 1801, President Thomas Jefferson stated that ''Ben Franklin was the greatest man, an ornament of the age and country in which he lived. This father of American liberties became the object of general respect and love.''

H. W. Brands, a celebrated historian, in his most recent book, The First American—The Life and Times of Benjamin Franklin, compliments President Jefferson's statement with his words that ''His ingenuity would not die with him, nor his concern for his fellow citizens.''

During the wake of the Revolutionary War, in Paris during the war and peace negotiations, at the Constitutional Convention back in Philadelphia, Mr. Franklin served his new country with unsurpassed energy, devotion, and skill. In the eyes of much of Europe, Mr. Franklin was America.

Not only did Franklin make a significant contribution to the establishment of our Republic, but also, as H.W. Brands penned, ''He sought knowledge not for his own sake, but for humanity's. His passion for virtue reflected not hope of heaven, but faith in his fellow mortals.''

Mr. Speaker, I urge support for this legislation. I want to note that it was cosponsored by the entire Pennsylvania congressional delegation, as well as all the members of the Massachusetts delegation, and I urge support of this resolution.

Mr. DAVIS of Illinois. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I would simply urge passage of this bill, and add that Benjamin Franklin is probably the most quoted of all Americans who ever lived.

I grew up in a family where both my mother and father were great Benjamin Franklin fans. They would put us to bed at night and make us go to sleep early and by saying ''Benjamin Franklin said, 'Early to bed and early to rise makes a man healthy, wealthy, and wise.'''

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

□ 1530

Mrs. JO ANN DAVIS of Virginia. Mr. Speaker, I would like to thank the gentleman from Indiana (Mr. BURTON) and the gentleman from Pennsylvania (Mr. WELDON) for expediting this bill.

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

The SPEAKER pro tempore (Mr. PETRI). The question is on the motion offered by the gentlewoman from Virginia (Mrs. JO ANN DAVIS) that the House suspend the rules and pass the bill, H.R. 2362, as amended.

The question was taken; and (two-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.

NORMAN SISISKY POST OFFICE BUILDING

Mrs. JO ANN DAVIS of Virginia. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 2910) to designate the facility of the United States Postal Service located at 3131 South Crater Road in Petersburg, Virginia, as the ''Norman Sisisky Post Office Building''.

The Clerk read as follows:

H.R. 2910

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

SECTION 1. NORMAN SISISKY POST OFFICE BUILDING.

(a) DESIGNATION.—The facility of the United States Postal Service located at 3131 South Crater Road in Petersburg, Virginia, shall be known and designated as the ''Norman Sisisky Post Office Building''.

(b) REFERENCES.—Any reference in a law, map, regulation, document, paper, or other record of the United States to the facility referred to in subsection (a) shall be deemed to be a reference to the Norman Sisisky Post Office Building.

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from Virginia (Mrs. JO ANN DAVIS) and the gentleman from Virginia (Mr. MORAN) each will control 20 minutes.

The Chair recognizes the gentlewoman from Virginia (Mrs. JO ANN DAVIS).

GENERAL LEAVE

Mrs. JO ANN DAVIS of Virginia. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on the bill, H.R. 2910.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from Virginia?

There was no objection.

Mrs. JO ANN DAVIS of Virginia. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise in strong support of H.R. 2910. I commend my good friend and fellow Virginian, the gentleman from Virginia (Mr. FORBES), for introducing this measure to honor his distinguished predecessor, the late Congressman Norman Sisisky.

H.R. 2910 honors Norman Sisisky's service to his district, his State and his country by designating the post office located at 3131 South Crater Road in Petersburg, Virginia as the ''Norman Sisisky Post Office Building.'' This bill has the strong support of all Members of the Virginia delegation.

Although born in Baltimore, Maryland, Norman Sisisky grew up in Richmond, Virginia. He graduated from Virginia Commonwealth University in 1949. Following a brief stint in the Navy, he became president of the Pepsi-Cola Bottling Company of Petersburg, Virginia. Under his leadership, that company became one of the largest soft drink bottling operations in the South.

From 1973 to 1982, Norman served in the Virginia House of Delegates. In 1982, he was elected to the House of Representatives where he served until his untimely death in March of this year. During his 18 years on Capitol Hill, Norman Sisisky compiled a moderate voting record. In fact, he was one of the first members of the conservative Blue Dog Coalition.

He often worked across the aisle to achieve what he believed best for the American people. Few were more effective, especially in matters of national defense. He was the second ranking Democrat on the Committee on Armed Services and was widely praised for his devotion to military and defense issues.

Among the other numerous highlights of his distinguished career was the passage of a balanced budget.

Mr. Speaker, Norman Sisisky left many friends and admirers in this House. He has been rightly remembered as a bridge between the parties and for his sense of humor. I urge all Member to support this important legislation.

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

Mr. MORAN of Virginia. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, as a former Member of the Committee on Government Reform, I am very happy to join my colleague in the consideration of H.R. 2910, introduced by the gentleman from Virginia (Mr. FORBES). It has met the committee co-sponsorship requirement and is supported by the entire Virginia Congressional delegation.

Norman grew up in Richmond, Virginia, served honorably in the Navy during World War II. He graduated from Virginia Commonwealth University, became a successful businessman as president of the Pepsi-Cola Bottling Company of Petersburg where he lead what was a small business to one of the largest and most profitable in the South.

Norm Sisisky served in Virginia's General Assembly representing Petersburg, Virginia. After serving five terms in the assembly, he was elected to U.S. Congress where he represented Virginia's Fourth Congressional District until his untimely death in March of this year.

Norman Sisisky served as a senior member of the Committee on Armed Services and ranking member of the Subcommittee on Military Procurement. He was always a strong defender and advocate of the armed services, and I know he will be particularly missed in that area. He already has been.

He was a member of the Subcommittee on Military Readiness and the Panel on Military Morale, Welfare and Recreation. He knew the importance of maintaining a strong military. He will always be remembered for standing behind our military families and veterans. He was also one of the most effective advocates in Congress for a strong Navy, particularly, and its ship building program at Newport News. Throughout his career in public service, he helped in a substantial way in making our military second to none.

Norm Sisisky was a hard-working colleague and a dedicated public servant. I think we should also say he was, too, a very witty, urbane and engaging friend to so many of us. And in addition to his public service, we miss his friendship. He leaves a great legacy to the people of Virginia and to our entire Nation.

I commend my colleague, the gentleman from Virginia (Mr. FORBES), and all of the Virginia Congressional Delegation. And it is not just confined to Virginia. We have the gentleman from Maryland (Mr. HOYER) speaking. It should be said that Norm was one of the best-liked Members of this body. I urge swift passage of this bill, and I trust it will be unanimous. This is one small way of remembering Norm Sisisky.

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

Mrs. JO ANN DAVIS of Virginia. Mr. Speaker, I yield the balance of my time to the distinguished sponsor of this bill, the gentleman from Virginia (Mr. FORBES), and I ask unanimous consent that he be permitted to control that time.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from Virginia?

There was no objection.

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

Mr. Speaker, I rise today to pay tribute to one of our former colleagues, Norman Sisisky, the late Congressman from the Fourth District of Virginia.

Congressman Sisisky passed away earlier this year having lived a rich life of public service and loving commitment to his family. He served his Nation during World War II as a veteran of the U.S. Navy. He went on to serve Virginia in the House of Delegates for 8 years. During his tenure there, his dedication to improving the lives of children earned him the Outstanding Service to Children in Virginia Award in 1978. He served the citizens of both the Commonwealth and the Nation by representing the people of Virginia's Fourth District for more than 18 years in the United States Congress.

Norman Sisisky was well respected by Members from both sides of the aisle, gaining a reputation as a personable man with a keen interest in and knowledge of national security issues. In fact, he is best remembered for his service on the Committee on Armed Services where he helped to shepherd through years of bipartisan legislation to improve the lives of men and women who wear the uniform that he once wore.

Norman Sisisky was a life-long Virginian, born in Richmond and later settling nearby in Petersburg.

He attended college at Virginia Commonwealth University, where he earned a degree in business administration. He built an outstanding career in soft drink bottling as president and owner of the Pepsi-Cola Bottling Company of Petersburg and chairman of

the board of the National Soft Drink Association.

Norman and his wife, Rhoda, had four sons and later seven grandchildren. They are a living and gracious legacy to Norman's life, just as the work he did here is a legacy to his career in public service.

Today, we join together to recognize those legacies by dedicating the facility of the United States postal service at 3131 South Crater Road in Petersburg, Virginia, as the Norman Sisisky Post Office Building. Though he spent much time in Washington and traveling the fourth district to represent his constituents, his home was in Petersburg; and it is fitting that this building bear his name.

I want to thank the gentleman from Illinois (Mr. HASTERT), the Speaker; the gentleman from Texas (Mr. ARMEY), the majority leader; and the gentleman from Indiana (Mr. BURTON), the chairman of the Committee on Government Reform, for helping to bring this tribute to the floor so quickly; and I would like to thank my colleagues, particularly in the Virginia delegation, for joining me as cosponsors of this resolution and for speaking on its behalf on the floor.

Mr. Speaker, I urge my colleagues to support this resolution and honor the memory of the late Congressman Norman Sisisky.

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

Mr. MORAN of Virginia. Mr. Speaker, I yield such time as he may want to consume to the gentleman from Virginia (Mr. SCOTT), Norman's next door neighbor.

Mr. SCOTT. Mr. Speaker, I thank the gentleman for yielding the time.

It is with great pleasure that I rise in support of H.R. 2910, to designate a post office in honor of my friend and distinguished colleague, the late Norman Sisisky.

President John F. Kennedy once said: ''A Nation reveals itself not only by the men it produces but also by the men it honors, the men it remembers.'' While the news of Norman's death was met by great sadness by all of those who knew him, the legacy of his life and his accomplishments are to be acknowledged, revered and celebrated.

I knew Norman for almost 25 years. For 5 of those years, we served together in the Virginia House of Delegates. We served together here in the House of Representatives for over 8 years. During that time, I had the honor to represent a district adjacent to his in southeast Virginia. The proximity of our districts allowed us to work side by side on many issues; and as a result, we became close, and our staffs in Washington and our district offices also became close associates.

The Fourth Congressional District, all of Virginia, the entire Nation, were all well served by Norman's leadership on the House Committee on Armed Services. He was the ranking member on the Subcommittee on Military Procurement and also served as a member of the Subcommittee on Military Readiness and Subcommittee on Morale, Welfare and Recreation. He worked diligently to ensure that our Nation's military was second to none.

Due to his efforts, Newport News Shipbuilding has remained a world leader; and we have been able to continue to excel in nuclear aircraft carrier and submarine construction.

When Virginia's military facilities came under threat of being closed during the base closings of the 1990s, Congressman Sisisky successfully protected Fort Lee, Norfolk Naval Shipyard, and other bases in Virginia that have been critical to the readiness of our Armed Forces.

Mr. Speaker, it is, therefore, fitting that a private man that worked so tirelessly behind the scenes, without the need for fanfare and accolades, should now be honored today as the Norman Sisisky Post Office serves the public. We will be reminded of his driving spirit and tireless commitment to public service.

Therefore, Mr. Speaker, I urge my colleagues to support this bill. With this designation of a post office in honor of Norman Sisisky, we will say a job well done.

Mr. FORBES. Mr. Speaker, I yield 4 minutes to my distinguished colleague, the gentleman from Virginia (Mr. WOLF).

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

Mr. WOLF. Mr. Speaker, I want to thank the gentleman from Virginia (Mr. FORBES) for bringing this legislation to the floor of the House.

It is very appropriate that we honor Congressman Norman Sisisky, who will always be remembered as a true gentleman, a dedicated public servant. He was a good person. He was a good father. He was a good husband, and in the delegation we could not have been closer.

I see the gentleman from Virginia (Mr. MORAN); and I would ask the gentleman if he remembers at our delegation lunches, it was Norman that would always make us laugh, that would always have that witty comment and somebody who could reach across the aisle in a way that really very few Members can.

His public service career began when he was elected, as was said, a member of the House of Delegates in 1973 representing Petersburg. He served for five terms in the Virginia General Assembly before being elected to Congress in 1982, and it was when I first met him.

Norman, like another of our late Virginia colleagues, Herb Bateman, was a senior member on the House Committee on Armed Services. In fact, he and Bateman, Sisisky and Bateman, worked hand in glove on so many issues with regard to their portion of the State and so many issues with regard to the national defense. From their vantage point, they both were protectors of our national security. Norman was the ranking member of the Subcommittee on Military Procurement and also served on the Subcommittee on Military Readiness and the Panel on Morale, Welfare, and Recreation. The American men and women in the military had no finer friend than Norman Sisisky. No matter what their rank, from the lowest rank to the highest rank, Norman was their friend.

Also, Norman was instrumental in working to get the funding to build the newest aircraft carrier, U.S.S. *Ronald Reagan*, which was recently christened.

He worked tirelessly as an advocate for production of shipbuilding to strengthen our national defense, and it is appropriate that we honor his dedication to improving our defense and intelligence resources, especially in light of recent events with regard to what is taking place in the country.

This Congress is honoring a very faithful servant and a wonderful man. Our lives have been forever enriched by having Norman Sisisky as our friend and colleague. Norman lived his life to the fullest. He had a great time, great sense of humor. He was hardworking and friendly and was a Member who truly worked in a bipartisan way by reaching across the aisle to work in the best interests of America. It was a privilege to work with Norman for 18 years and to work with him in the Virginia delegation on issues of importance, not only to the State of Virginia but to the Nation.

□ 1545

Norm Sisisky's commitment and devotion to public service is deserving of recognition and it is appropriate that the postal building at 3131 South Crater Road in Petersburg, Virginia, be renamed in his honor.

Again, I want to thank the gentleman from Virginia (Mr. FORBES) for bringing this to the floor, and let Norman know, as he is I am sure watching somewhere, that we do miss him very, very much.

Mr. Speaker, I appreciate my colleagues on the Government Reform Committee in bringing this legislation to the floor to designate a U.S. postal building in Petersburg, Virginia, to honor the late Congressman Norman Sisisky, who served Virginia's Fourth Congressional district for nine terms.

It is appropriate that we honor Congressman Sisisky, who will always be remembered as a true gentleman and dedicated public servant.

Norman Sisisky was born June 9, 1927, and graduated from John Marshall High in Richmond, Virginia. He joined the Navy after high school and served through World War II until 1946. He graduated from Virginia Commonwealth University in 1949 with a degree in business administration.

Norm's work as a public official was undoubtedly strengthened by his success in the private sector. After graduating he transformed a small Pepsi bottling company in Petersburg, Virginia, into a highly successful distributor of soft drinks throughout Southside Virginia.

His public service career began when he was elected as delegate to the Virginia House of Delegates in 1973 representing Petersburg. He served five terms in the Virginia General Assembly before being elected to Congress in 1982.

Norman, like another of our late Virginia colleagues, Herb Bateman, was a senior member on the House Armed Services Committee and from that vantage point was a protector of our national security. He was the ranking member of the subcommittee on military procurement, and also served on the subcommittee on military readiness and the panel on morale, welfare, and recreation.

Before his untimely passing this past March, he had been appointed to the House Permanent Select Committee on Intelligence. Norman was also a member of the ''Blue Dog'' coalition in the 104th through the 107th Congresses and led bipartisan efforts through that work. Norman was instrumental in working to get funding to build the newest aircraft carrier, USS *Ronald Reagan, which was recently christened.*

He worked tirelessly as an advocate for production of shipbuilding and strengthening our national defense. It is appropriate that we honor his dedication to improving our defense and intelligence resources, especially in light of recent events and our new attention to these priorities.

He presented with pride Virginia's Fourth Congressional District in the southeastern corner of the Commonwealth, the home of the First Permanent English Settlement in North America, and today the home of one of the largest concentrations of military power in the world.

This Congress is honoring a faithful servant and wonderful man, and our lives are forever enriched for having had Norman Sisisky as our friend and colleague. Norman lived his life to the fullest. He was hard-working and friendly and he was a member who truly worked in a bipartisan way. He reached across the aisle to work for the best interests of America. It was a privilege to serve with him the over 18 years he was in Congress and to work with him in the Virginia delegation on issues of importance to our state and union.

Congressman Sisisky's commitment and devotion to public service is deserving of recognition, and it is appropriate that the postal building at 131 South Crater Road in Petersburg, Virginia, he renamed in his honor. I urge our colleagues to join me in supporting this legislation to honor his former member for his dedicated public service.

Mr. MORAN of Virginia. Mr. Speaker, I yield such time as he may consume to the honorable and very distinguished gentleman from Maryland (Mr. HOYER).

Mr. HOYER. Mr. Speaker, I was elected to the House in 1981 in a special election. I came here in early June, so I had been here some 18 months before Norm Sisisky was sworn in in January of 1983 to the House of Representatives. But because Virginia and Maryland are members of the same organizational region for our caucus, and because Norm and I had a number of interests in common, we became very good friends. I am pleased, therefore, to rise on behalf of this legislation.

This legislation, of course, will pass unanimously, as it should. It is appropriate that the gentleman from Virginia (Mr. FORBES) introduced this resolution to honor his predecessor. They come from different parties, but they come from the same State, the same region, and the same district, and the gentleman from Virginia (Mr. FORBES) knows full well of the affection and respect with which Mr. Sisisky was held in his district.

Norm Sisisky, some of my colleagues may not know, was born in Baltimore, Maryland, in 1927. His parents had come from Lithuania; emigrated to this country. When Norm was a very young boy, his family moved to Virginia. He grew up in Richmond and, after he graduated from high school, he enlisted in the Navy for the final years of World War II. He was very young. He enlisted at almost his first opportunity, as soon as he graduated from high school.

After completing his naval service, Norm graduated from Virginia Commonwealth University. History would prove that his service to the Navy in World War II did not end until his death, for the Navy had no better friend than Norm Sisisky. Indeed, the Armed Services of America, the defense of our Nation, the defense of freedom throughout this world had no better friend nor more tenacious supporter than Norm Sisisky.

When he graduated from college and completed his naval service, he entered into the soft drink bottling distribution business. He bought a small distribution plant that he then built into a giant distribution plant and was so respected by his colleagues that he became the President of the National Soft Drink Association.

Norm Sisisky was a man of faith, active in his synagogue and in many Jewish organizations. Indeed, he served as president of his congregation. Norm and his wife, the former Rhoda Brown, had four sons, Mark, Terry, Richard and Stuart, and seven grandchildren. Norm and Rhoda were and are extraordinarily proud of those four sons and those seven grandchildren, and I know they will be proud to point to this post office that will be named for Norm Sisisky.

By the way, let me, as an aside, make a suggestion. The first bill that I passed as a Member of this House was to name the District Heights Post Office for E. Michael Roll, who had been the mayor of the town in which I lived for over 20 years. And I can remember as a young kid, the town was small enough that the mayor would get on you if you were not riding your bike in the proper place or he saw you throw an ice cream wrapper on the street or something of that nature. Mr. Roll had recently died, and I was so pleased to introduce a bill to honor him by naming the post office after him.

When they went out to the District Heights Post Office, and this is what I want my Virginia friends to hear, they were going to take off the words ''United States Post Office.'' The post office had proposed putting E. Michael Roll's name in place of United States. I told them that E. Michael Roll would roll over in his grave if he knew his name was replacing the name of the country that he loved so deeply.

So I would suggest that perhaps rather than name this post office the Norm Sisisky Post Office Building, that we name it the Norm Sisisky United States Post Office as the official name of the place.

But to get back to Norm Sisisky, although we are talking about an appropriate act which need not be debated, we are talking about an individual whom this body is poorer for having lost. Born on June 9, 1927, he died on March 29 of this year. He died too soon. It could be said, of course, that perhaps all of us die too soon, but we particularly miss Norm Sisisky who was an expert on not only national defense but on national intelligence. He served on our Permanent Select Committee on Intelligence.

He was a quiet man, not bombastic, not rhetorical, not subject to self-aggrandizement or self-promotion. He was a man of substance. He was a man of commitment. He was a man of great intellect. He was a man of great energy. And he worked extraordinarily hard to make sure that America was strong, that we tended to our military, and that we made sure our intelligence was the best that it could be. How deeply in this time of trouble that confronts America today do we miss Norm Sisisky.

I am proud to rise on behalf of this legislation because, as was quoted earlier in talking about Ben Franklin and quoting John Kennedy, a nation is known by the men and women that it honors. It is absolutely appropriate that we honor Norm Sisisky; that we lament his loss, but glory in the service that he gave to this institution and to this country that he loved.

I ask all of us, as we vote on this legislation later today, to remember that contribution and perhaps to once again send a note or make a call to Rhoda and tell her we share her loss, not as poignantly, not as personally, but as his colleagues we share her loss, the loss of her sons, the loss of the grandchildren, and the loss of the great Commonwealth of Virginia.

Mr. FORBES. Mr. Speaker, I yield 2 minutes to the distinguished gentleman from Virginia (Mr. SCHROCK).

Mr. SCHROCK. Mr. Speaker, I thank the gentleman for yielding me this time, and it is my pleasure to rise today in support of H.R. 2910, being brought to us by the gentleman from Virginia (Mr. FORBES), which will honor our good friend Congressman Norm Sisisky.

The location of the post office in Petersburg, Virginia, bearing Norm's name is quite fitting. Norm represented the people of Petersburg for almost 28 years, as a member of the Virginia General Assembly for 10 years,

and as a member of this body representing Virginia's Fourth Congressional District from 1983 until earlier this year.

Congressman Sisisky served America in World War II and brought this experience to Congress. Norm became a senior member of the House Committee on Armed Services where he became a champion of our military and veterans issues. Norm was the ranking member of the Subcommittee on Military Procurement and also served on the Morale, Welfare and Recreation Panel. He took the lead in protecting Virginia's naval and military facilities and was an ardent defender of our national defense, but worked at the same time to ensure that military spending decisions strike the proper balance between strategic necessity and fiscal prudence.

His record of distinguished service to our country and to the people of the Commonwealth of Virginia demonstrates to us all his commitment to the values and principles of freedom and public service. This facility we are naming today will remind us of his dedication to our country and to the Commonwealth of Virginia, and I urge my colleagues to support this legislation.

Mr. BEREUTER. Mr. Speaker, this Member rises today to express his very strong support for H.R. 2910, the Norman Sisisky Post Office Building Designation Act of 2001, which designates the facility of the United States Postal Service located at 3131 South Crater Road in Petersburg, Virginia, as the ''Norman Sisisky Post Office Building.''

This Member would like to thank the main sponsor of H.R. 2910, the distinguished gentleman from Virginia [Rep. RANDY FORBES]; the rest of the Virginia congressional delegation; the Chairman of the House Committee on Government Reform the distinguished gentleman from Indiana [Mr. DAN BURTON]; and the Ranking Member of the Committee, the distinguished gentleman from California [Mr. HENRY WAXMAN] for their instrumental role in bringing H.R. 2910 to the House Floor.

Mr. Speaker, the late Congressman Sisisky was in many ways bigger than life—he lived life to the fullest, worked as hard as any Member in this body, and always enjoyed his family and friends. We can all take great pride in the kind of person Norm was, and in his many important contributions to not only the State of Virginia, but also the United States as a whole. As many of you probably know, this Member traveled with Congressman Sisisky frequently on NATO Parliamentary Assembly (NATO PA) matters and to the annual Munich Conference on Security Policy (previously known as the Munich Wehrkunde Conference). In fact, Norm Sisisky participated in the Munich Conference on Security Policy longer than any sitting Member of the House and served as this Member's Democrat co-leader of the House delegation to this conference in February of this year.

This Member can still recall Norm's remarks during a NATO PA meeting where a discussion of the European Security and Defense Policy (ESDP), European burden sharing and the need for Europe to meet its own NATO military commitments brought Norm to his feet with the simple words of ''Show me the money.'' He went on to explain that while he was supportive of ESDP, his support was conditional on the need for our European NATO allies to increase their own defense budgets to meet not only ESDP requirements, but more importantly their NATO requirements. The House NATO PA delegation was certainly proud of Norm Sisisky's blunt and forceful remarks, as Norm Sisisky wasn't one for beating around the bush nor for talking just to talk—when Norm spoke we all listened.

This was just one of the many examples of Norm Sisisky's keen knowledge of national defense matters and his forceful personality. This Member had great respect and appreciation for him as a person and as a congressional colleague. He was one of this Member's favorite people and we all miss him greatly! Therefore, this Member supports the naming of the Post Office Building in Petersburg, Virginia, the ''Norman Sisisky Post Office Building''. It certainly is a honor well-deserved which this Member strongly urges his colleagues to support.

Mr. TOM DAVIS of Virginia. Mr. Speaker, I rise today to pay tribute to my friend and colleague from Virginia, Norm Sisisky, who served this body with dignity, honor and extreme dedication since 1983.

Norm was a true gentleman and a great patriot. I will never forget his kind and valuable tutelage when I first came to Congress, nor will I forget how he demonstrated to all of us the importance of caring more about doing good than getting credit. He certainly earned his reputation as a hard worker and skilled negotiator.

The son of Lithuanian immigrants, Norm was born in Baltimore. The family moved during the Depression to Richmond, Virginia where he grew up. Upon graduating from John Marshall High School, he enlisted in the Navy during World War II, serving through the end of 1946. Norm described himself as a self-made businessman, turning a local soft-drink company into one of the most successful Pepsi-Cola distributorships in the country at the time.

During his ten years in Congress, Norm secured committee assignments that paid great dividends to the residents and businesses in his district. He played a leading role in reforming the Defense Department's financial management system and worked tirelessly to preserve the nuclear shipbuilding industrial base so vital to employment rates in the Hampton Roads area. His was the proper and responsible balance: Protect Virginia's military facilities, but also make sure that military spending decisions are fiscally prudent and fair to taxpayers nationwide. He worked tirelessly in the Congress to improve procurement practices and streamline government to make it more effective and efficient.

Mr. Speaker, I continue to mourn the loss of Norm Sisisky as a friend and a colleague. Norm lived his life with exuberance and passion for serving his beloved Virginia. He was a true leader on behalf of all Virginians and Americans, and as a member of the Blue Dog Coalition, he worked across partisan divides, searching for the common good. I ask all of my colleagues to join me in support of this legislation, which will ensure that Norm Sisisky's contributions to his community will be remembered for generations to come.

Mr. CANTOR. Mr. Speaker, I rise today in support of H.R. 2910, the Norman Sisisky Post Office Building Designation Act. I am honored today to pay tribute to Norman Sisisky, who was a colleague and familiar figure in Virginia politics for many years. It is fitting and proper that we should honor Norman today on the floor of this House where he acted so honorably as a public servant since he was elected to Congress in 1982 until his death earlier this year.

Norman Sisisky spent a lifetime serving Virginia and the United States, and we are all deeply indebted to this distinguished Virginia gentleman. Norman first displayed his love for this country when he enlisted in the Navy as a young man during World War II. His time in the Navy, though short, left a lasting impression and he never forgot that we must diligently tend to the needs of the men and women serving in the military.

At the conclusion of the war, he became a successful businessman and well known throughout the business community for transforming a small bottling company into a highly successful soft drink distributor. His business background and creative thinking proved invaluable when he later decided to enter elective politics. Norman served in the Virginia General Assembly for several years before being elected to the House of Representatives in 1982. Here in Washington, Norman was known as a staunch defender of our national security and worked tirelessly on behalf of the men and women who serve our nation in the military.

Norman was particularly effective in building coalitions in support for key programs and reaching across the aisle on matters of importance to Virginians. From ensuring adequate funding for aircraft carriers and submarines to modernizing our weapons systems, he was an ardent voice on the Armed Services Committee and an ally of every person who wears the uniform of the United States.

In his District, and throughout Virginia, his reputation as an outstanding Member of Congress was unparalleled. His legacy of constituent service, consensus building and selfless service is a model for all Members of Congress.

The people of the Fourth District, the Commonwealth of Virginia and the United States of America have truly benefited from his dedicated service and at this time of national crisis his military mind and Congressional experience are sorely missed. Norman was successful in every aspect of his life and we rightly dedicate this post office in his memory today.

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

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

The SPEAKER pro tempore (Mr. PETRI). The question is on the motion offered by the gentlewoman from Virginia (Mrs. JO ANN DAVIS) that the House suspend the rules and pass the bill, H.R. 2910.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds of those present have voted in the affirmative.

Mr. FORBES. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX and the Chair's prior announcement, further proceedings on this motion will be postponed.

USE OF TRUST LAND AND RESOURCES OF CONFEDERATED TRIBES OF WARM SPRINGS RESERVATION OF OREGON

Mr. WALDEN of Oregon. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 483) regarding the use of the trust land and resources of the Confederated Tribes of the Warm Springs Reservation of Oregon, as amended.

The Clerk read as follows:

H.R. 483

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

SECTION 1. AUTHORIZATION FOR 99-YEAR LEASES.

The first section of the Act entitled ''An Act to authorize the leasing of restricted Indian lands for public, religious, educational, residential, business, and other purposes requiring the grant of long-term leases'', approved August 9, 1955 (25 U.S.C. 415(a)), is amended—

(1) by inserting '', the reservation of the Confederated Tribes of the Warm Springs Reservation of Oregon,'' after ''Spanish Grant'')''; and

(2) by inserting ''lands held in trust for the Confederated Tribes of the Warm Springs Reservation of Oregon'' before '', lands held in trust for the Cherokee Nation of Oklahoma''.

SEC. 2. USE OF CERTAIN TRUST LANDS AND RESOURCES FOR ECONOMIC DEVELOPMENT.

(a) APPROVAL OF AGREEMENT.—The use of tribal lands, resources, and other assets described in the document entitled ''Long-Term Global Settlement and Compensation Agreement'', dated April 12, 2000 (hereafter referred to as the ''GSA''), entered into by the Department of the Interior, the Confederated Tribes of the Warm Springs Reservation of Oregon (in this section referred to as the ''Tribes''), and the Portland General Electric Company, and in the Included Agreements, as attached to the GSA on April 12, 2000, and delivered to the Department of the Interior on that date, is approved and ratified. The authorization, execution, and delivery of the GSA is approved. In this section, the GSA and the Included Agreements are collectively referred to as the ''Agreement''. Any provision of Federal law which applies to tribal land, resources, or other assets (including proceeds derived therefrom) as a consequence of the Tribes' status as a federally recognized Indian tribe shall not—

(1) render the Agreement unenforceable or void against the parties; or

(2) prevent or restrict the Tribes from pledging, encumbering, or using funds or other assets that may be paid to or received by or on behalf of the Tribes in connection with the Agreement.

(b) AUTHORITY OF SECRETARY.—

(1) IN GENERAL.—Congress hereby deems that the Secretary of the Interior had and has the authority—

(A) to approve the Agreement; and

(B) to implement the provisions of the Agreement under which the Secretary has obligations as a party thereto.

(2) OTHER AGREEMENTS.—Any agreement approved by the Secretary prior to or after the date of the enactment of this Act under the authority used to approve the Agreement shall not require Congressional approval or ratification to be valid and binding on the parties thereto.

(c) RULES OF CONSTRUCTION.—

(1) SCOPE OF SECTION.—This section shall be construed as addressing only—

(A) the validity and enforceability of the Agreement with respect to provisions of Federal law referred to in section 2(a) of this Act; and

(B) approval for provisions of the Agreement and actions that are necessary to implement provisions of the Agreement that the parties may be required to obtain under Federal laws referred to in section 2(a) of this Act.

(2) AUTHORITY.—Nothing in this Act shall be construed to imply that the Secretary of the Interior did not have the authority under Federal law as in effect immediately before the enactment of this Act to approve the use of tribal lands, resources, or other assets in the manner described in the Agreement or in the implementation thereof.

SEC. 3. EFFECTIVE DATE.

This Act shall take effect as of April 12, 2000.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Oregon (Mr. WALDEN) and the gentlewoman from the Virgin Islands (Mrs. CHRISTENSEN) each will control 20 minutes.

The Chair recognizes the gentleman from Oregon (Mr. WALDEN).

Mr. WALDEN of Oregon. Mr. Speaker, on April 12 of 2000, the Warm Springs Tribe, Portland General Electric Company, and the Department of the Interior as the Tribe's trustee entered into an agreement for the Tribe to buy one-third or more of the 440-megawatt Pelton Hydroelectric Project on Oregon's Deschutes River. About one-third of that project is on the Warm Springs Tribal trust land.

The Tribe plans to use bonds to finance the $30 million initial one-third acquisition of the project. A Federal law requires that any encumbrance of Indian trust resources be approved by the Interior Secretary. Interior asserts its current authorities are sufficient to authorize that approval for the Warm Springs trust resources. However, bond counsel asserts current authority is not express enough to allow for an unqualified opinion needed to issue those bonds. The Tribe and PGE also believe more express authority will help secure their agreement.

H.R. 483 addresses this situation by providing express approval specifically for the Pelton agreement so the bonds can be issued and the agreement is more secure. At the same time, it provides that this single case instance of approval is not to diminish Interior's existing authority to approve similar agreements.

The bill also authorizes Warm Springs trust land leases of up to 99 years at the Secretary's discretion.

Mr. Speaker, I hope that the House can unanimously support this piece of legislation. It is cosponsored by the entire Oregon delegation, and it will provide a needed economic development for the Warm Springs Tribes.

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

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

Mr. Speaker, this legislation will permit the Confederated Tribes of the Warm Springs Reservation of Oregon to enter into various leases concerning their trust lands for up to 99 years.

Over the years, and at the specific request of the affected Indian tribe, we have passed numerous similar bills in order to give Indian tribes more flexibility to develop trust lands for the benefit of their members. What is different about this bill, however, is that we are also giving Congressional approval to a settlement and business agreement entered into among the Tribe, the Department of the Interior, and the Portland General Electric Company. The agreement benefits all parties and will help bring needed economic development to the reservation.

Similar agreements between Indian tribes and private companies occur upon the approval of the Secretary of the Interior. While I support the passage of this bill today, it is important to stress that in doing so we are not questioning the Secretary's authority over such matters nor the validity of agreements bearing her approval.

With that, Mr. Speaker, I urge my colleagues to support the passage of H.R. 483.

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

Mrs. CHRISTENSEN. Mr. Speaker, I yield such time as he may consume to the gentleman from Oregon (Mr. BLUMENAUER).

Mr. BLUMENAUER. Mr. Speaker, I thank the gentlewoman from yielding me this time.

Mr. Speaker, I rise to join my colleague from eastern Oregon in support of this legislation, and I am pleased to cosponsor it along with the gentleman.

Mr. Speaker, we have a special obligation as Members of this assembly to be sensitive to the needs of Native Americans. Sadly, the history of the United States brings no great credit to the Government or this body, and there have been many lost opportunities. I rise in support of H.R. 483 because it is one way to seize an opportunity and do the right thing.

H.R. 483 gives the Warm Springs Tribe the same control over their sovereign lands that other governments already enjoy. This act will allow the Warm Springs Tribal Government to lease its own land in the same manner that the Cherokee Nation and State and local jurisdictions have for years.

Certainly the Confederated Tribes of the Warm Springs Reservation in Oregon have shown that they have earned this right. They are located on the largest land holding in our State. They have a long history of excellent official relationships with State and Federal authorities in Oregon. They operate

their own tribal courts, health system, educational facilities, and law enforcement agencies. They have been leaders in economic development initiatives of which this provision would enable another chapter to move forward.

I have been pleased to work with the tribe in times past. I think it is high time for us to allow the tribe to express similar leadership that they have over their own land. The second provision approves the agreement by the tribes with General Electric to regulate projects on its land. As has been pointed out, this has been a long time in the making. It was approved a year and a half ago, and its time for Congress to add its seal of approval. I strongly urge my colleagues to vote for passage of H.R. 483.

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

Mr. WALDEN of Oregon. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, in closing, I thank the gentleman from Oregon (Mr. BLUMENAUER) for his kind comments and his generous support of this legislation and express my appreciation to the tribes and to Jefferson County and to Portland General Electric for their continuous work as we have wordsmithed this bill, probably more than any other bill I have been around, to make it conform to the needs of all of the parties involved. They have been quite patient and helpful in this process. I urge passage of this bill.

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

The SPEAKER pro tempore (Mr. PETRI). The question is on the motion offered by the gentleman from Oregon (Mr. WALDEN) that the House suspend the rules and pass the bill, H.R. 483, as amended.

The question was taken; and (two-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.

MAKING IN ORDER AT ANY TIME CONSIDERATION OF CONFERENCE REPORT ON H.R. 2590, TREASURY AND GENERAL GOVERNMENT APPROPRIATIONS ACT, 2002

Mr. ISTOOK. Mr. Speaker, I ask unanimous consent that it be in order at any time to consider the conference report to accompany H.R. 2590; that all points of order against the conference report and against its consideration be waived; and that the conference report be considered as read when called up.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

CHILOQUIN DAM FISH PASSAGE FEASIBILITY STUDY ACT OF 2001

Mr. WALDEN of Oregon. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 2585) to authorize the Secretary of the Interior to conduct a study of the feasibility of providing adequate upstream and downstream passage for fish at the Chiloquin Dam on the Sprague River, Oregon.

The Clerk read as follows:

H.R. 2585

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 ''Chiloquin Dam Fish Passage Feasibility Study Act of 2001''.

SEC. 2. CHILOQUIN DAM FISH PASSAGE FEASIBILITY STUDY.

(a) IN GENERAL.—The Secretary of the Interior shall, in collaboration with all interested parties, including the Modoc Point Irrigation District, the Klamath Tribes, and the Oregon Department of Fish and Wildlife, conduct a study of the feasibility of providing adequate upstream and downstream passage for fish at the Chiloquin Dam on the Sprague River, Oregon.

(b) SUBJECTS.—The study shall include—

(1) review of all alternatives for providing such passage, including the removal of the dam;

(2) determination of the most appropriate alternative;

(3) development of recommendations for implementing such alternative; and

(4) examination of mitigation needed for upstream and downstream water users, and for Klamath tribal non-consumptive uses, as a result of such implementation.

(c) REPORT.—The Secretary shall submit to the Congress a report on the findings, conclusions, and recommendations of the study by not later than 1 year after the date of the enactment of this Act.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Oregon (Mr. WALDEN) and the gentlewoman from the Virgin Islands (Mrs. CHRISTENSEN) each will control 20 minutes.

The Chair recognizes the gentleman from Oregon (Mr. WALDEN).

Mr. WALDEN of Oregon. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, H.R. 2585 is another of my bills that will address the current plight of fish and farmers in the Klamath Basin. The Klamath Basin is in both southern Oregon and northern California, and has Endangered Species Act-listed suckers, salmon and bald eagles. There are several tribes with treaty rights that must be respected.

The Klamath Project, operated by the Bureau of Reclamation, has historically delivered water to about 200,000 acres. This year, however, the basin is experiencing a severe drought, on top of which the Klamath Project has been asked to provide additional water for species listed under the Endangered Species Act.

The feasibility study required in this legislation is needed to address an imminent endangered species habitat claim against the Chiloquin Dam in southern Oregon, which is the Modoc Point Irrigation District's current gravity flow diversion source. This dam blocks suckers from reaching 95 percent of their former spawning and juvenile rearing habitat in the warm water reaches of the Sprague River.

Several parties have identified the Chiloquin Dam as constituting a significant habitat problem for endangered suckers. They include: the Klamath Tribes, U.S. Fish and Wildlife, Bureau of Reclamation, Oregon Department of Fish and Wildlife, and the Klamath Water Users Association.

I have worked in consultation with the Modoc Point Irrigation District and the Klamath Tribes to craft this legislation requesting this study of this dam. The study will include review of all alternatives for providing passage, including removal of the dam; determination of the most appropriate alternative; development of recommendations for implementing the alternative; and examination of mitigation needed for upstream and downstream water users as a result of such implementation.

I would also point out that this legislation was cosponsored by several members of this committee, including the gentleman from Oregon (Mr. DEFAZIO).

This legislation is long overdue. The need to study this impediment is long overdue. Despite the crisis our Nation faces today, the farmers in this basin continue to face a crisis of their own, both economically and for their future. We need to move forward to resolve the issues that have blocked their ability to get water and the other help they need. Madam Speaker, I ask for the support of the entire House for this common sense, straightforward and balanced legislation.

Madam Speaker, I reserve the balance of my time.

Mrs. CHRISTENSEN. Madam Speaker, I yield myself such time as I may consume.

Madam Speaker, I rise in support of H.R. 2585, and I note that a long-standing member of the Committee on Resources, the gentleman from Oregon (Mr. DEFAZIO), is a cosponsor of this bill.

Restoring fish habitat in the Klamath Basin is complicated and often controversial. Making decisions based on scientific studies of water operations and habitat requirements can help prevent more confrontations over scarce water supplies.

The studies authorized by H.R. 2585 need to be carefully designed and carried out. These studies should consider all factors that affect fish survival in the basin, including the possible need to restore wetlands and riparian habitats. I thank the sponsor and cosponsors of this bill, and I urge my colleagues to support H.R. 2585.

Mr. WALDEN of Oregon. Madam Speaker, I reserve the balance of my time.

Mrs. CHRISTENSEN. Madam Speaker, I yield such time as he may consume to the gentleman from Oregon (Mr. BLUMENAUER).

Mr. BLUMENAUER. Madam Speaker, I thank the gentlewoman for yielding me this time.

Madam Speaker, I am here to support H.R. 2585 introduced by the gentleman from Oregon (Mr. WALDEN). It is true that we have a great deal of tension and frustration in the Klamath Basin these days, and I commend the gentleman for taking specific steps to help relieve some of that pressure.

This bill is an important step in studying alternatives for the improvement of fish passage for the endangered species. These endangered species have generated a great deal of controversy and attention. I for one feel that in some instances some of the frustration was misplaced in terms of trying to divert the blame for the problem in the Klamath Basin somehow to the fish themselves.

I note with some interest that one of the Klamath Basin Native American leaders pointed out to me that blaming the fish for the water problem is a lot like blaming the gas gauge on your car if one runs out of gas. Having the gas gauge register empty, it is not the problem of the gas gauge, it is the fact that the car has run out of gas.

What we are facing here is a condition that is the result of systematic action on the part of the Federal Government for over a century of making too many demands on scarce water in this arid basin.

We must not lose sight of the big picture within the Klamath Basin. It once held 350,000 acres of shallow lakes, fresh water marshes, wet meadows, and seasonally flooded basins throughout southeastern Oregon and northern California. Today, nearly 80 percent of the basin's wetlands have been drained and converted to agriculture; in some cases, water-intensive agriculture. It is no mystery that we have run into problems. The Federal Government has not had appropriate policies to deal with the overcommitment of the water in this basin.

Just as important, if not more important than the improvement of fish passage, is the restoration of wetlands to improve the spawning grounds of the fish that are vital to the tribes of this area and to the entire ecosystem.

While I fully endorse this bill, which will authorize the feasibility study to improve the fish passage at Chiloquin Dam, I urge my colleagues and the Department of the Interior to remain aware of the interconnectedness of the resources and the user needs throughout the Klamath Basin.

I hope that this Congress will yet come forward, when we are spending hundreds of millions of dollars in disaster relief, when we have a whole host of pressing problems, that we do not turn our back on the needs of the environment of the Klamath Basin, of farmers who were encouraged to farm there as a result of government policies, and that we take steps to help reclaim some of that natural environment, reduce the stress on water in that basin.

Madam Speaker, this is an important step; but I hope we continue to look at the big picture.

Mr. WALDEN of Oregon. Madam Speaker, I yield myself such time as I may consume.

Madam Speaker, I appreciate the comments of the gentleman from Oregon (Mr. BLUMENAUER) and for his willingness to support this legislation, and to find balanced solutions for the problems that we face in the Northwest.

Madam Speaker, it is interesting, I had not visited this dam until a year or so ago, and at that point I invited the Modoc Point Irrigation District directors and the tribal leaders from there to both join me at the site of this dam. I did not know what to expect. I had not seen it, but I had heard and read a lot about it.

As we approached the dam, walked down, the skies were dark and it began to pelt rain and snow, not heavily, but it was one of those cold wet days. As I stood and looked at this concrete obstruction that backs water up and then allows water to be diverted into the Modoc Point District, we have to make sure that they continue to get access to water.

When one looks at the dam itself, the top is wood and wire and it is all kind of broken down and disheveled. It is a mess. There is evidence of three fish passage ladders, two of which have crumbled down to basically the rebar and the concrete. The third one against the side where we were standing seemed to function fairly well. The biologist told us there are some 700 suckers that make their way through and up to the upper end where the habitat is impaired, and there is a lot of work we can do there, I think.

I said, How many fish try to get up here? They do not know. It is hard to measure success if we do not know how many are trying to get up versus how many that do. The long and short of it is, this has been an impediment for at least a decade and yet nothing has happened. Like my colleague, I want to make something happen. I want to try to solve these problems so we have a viable environment and a vibrant agricultural economy because I think they can co-exist in the Klamath Basin. The comments of the gentleman regarding farmers invited to settle, not only were they invited, we invited our veterans, our men and women who wore the uniform of this country and defended our freedom abroad, to participate in a lottery. We promised to give them land and a guarantee of water for life if they would settle and develop this area.

□ 1615

It is one of the oldest irrigation projects in America. It was one of the first.

Over time, more and more promises have been given, more and more people settled. These are real people who are facing real bankruptcy right now. This Congress and this administration helped with a $20 million commitment to kind of tide them over, but it is not enough. We have got to do more. We have got to break through some of these barriers and solve some of these problems if we are going to have a long-term solution. We have got to act quickly. This study will still take a year, but it is a lot less time than it would have taken if we did not pass this legislation because they have had 10 years to try and figure it out.

The Klamath water users have put together a very comprehensive report on how to deal with a whole host of solutions in this basin, to improve habitat, to improve water quality and still have viable agriculture. A lot of those have fallen on deaf ears over time. Many of them were at the agency level and not enacted. We cannot stand by and let this happen. This is a huge crisis for many, many, many families. A thousands plus farms are affected right now, today. They do not know what is going to happen next year. They come to us and ask, will we have water? We do not know. We do not know. That is why this legislation and legislation to grant them other relief from operation and maintenance costs that is pending in the committee that is going to help me get it through here, and other emergency relief legislation we have just got to act on.

I commend the Committee on Resources. I thank them for their effort. I commend my colleagues. I ask for their approval of this legislation.

Mr. BLUMENAUER. Madam Speaker, I rise in support of H.R. 2585, the Chiloquin Dam Fish Passage Feasibility Study Act of 2001. This bill takes an important step into studying alternatives for the improvement of fish passage for endangered fish species.

However, we must not lose sight of the big picture within the Klamath Basin. The Klamath Basin once held 350,000 acres of shallow lakes, freshwater marshes, wet meadows, and seasonally flooded basins in Southeastern Oregon and Northern California. Today, nearly 80 percent of the Basin's wetlands have been drained and converted to agriculture.

Just as important, if not more important than the improvement of fish passage, is the restoration of wetlands to improve the spawning grounds of the fish that are vital to tribes in the area.

While I fully endorse this bill, which will authorize a feasibility study to improve fish passage at the Chiloquin Dam, I urge my colleagues and the Department of Interior to remain aware of the interconnectedness of resources and user-needs throughout the Klamath Basin.

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

Mrs. CHRISTENSEN. Madam Speaker, I yield back the balance of my time.

The SPEAKER pro tempore (Mrs. BIGGERT). The question is on the motion offered by the gentleman from Oregon (Mr. WALDEN) that the House suspend the rules and pass the bill, H.R. 2585.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

BUFFALO BAYOU NATIONAL HERITAGE AREA STUDY ACT

Mr. WALDEN of Oregon. Madam Speaker, I move to suspend the rules and pass the bill (H.R. 1776) to authorize the Secretary of the Interior to study the suitability and feasibility of establishing the Buffalo Bayou National Heritage Area in west Houston, Texas, as amended.

The Clerk read as follows:

H. R. 1776

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 ''Buffalo Bayou National Heritage Area Study Act''.

SEC. 2. NATIONAL PARK SERVICE STUDY REGARDING BUFFALO BAYOU, TEXAS.

(a) FINDINGS.—The Congress finds the following:

(1) The area beginning at Shepherd Drive in west Houston, Texas, and extending to the Turning Basin, commonly referred to as the ''Buffalo Bayou'', made a unique contribution to the cultural, political, and industrial development of the United States.

(2) The Buffalo Bayou is distinctive as the first spine of modern industrial development in Texas and one of the first along the Gulf of Mexico coast.

(3) The Buffalo Bayou played a significant role in the struggle for Texas independence.

(4) The Buffalo Bayou developed a prosperous and productive shipping industry that survives today.

(5) The Buffalo Bayou led in the development of Texas' petrochemical industry that made Houston the center of the early oil boom in America.

(6) The Buffalo Bayou developed a sophisticated shipping system, leading to the formation of the modern day Houston Ship Channel.

(7) The Buffalo Bayou developed a significant industrial base, and served as the focal point for the new city of Houston.

(8) There is a longstanding commitment by the Buffalo Bayou Partnership, Inc., to complete the Buffalo Bayou Trail along the 12-mile segment of the Buffalo Bayou.

(9) There is a need for assistance for the preservation and promotion of the significance of the Buffalo Bayou as a system for transportation, industry, commerce, and immigration.

(10) The Department of the Interior is responsible for protecting the Nation's cultural and historical resources. There are significant examples of such resources within the Buffalo Bayou region to merit the involvement of the Federal Government in the development of programs and projects, in cooperation with the Buffalo Bayou Partnership, Inc., the State of Texas, and other local and governmental entities, to adequately conserve, protect, and interpret this heritage for future generations, while providing opportunities for education and revitalization.

(b) STUDY.—

(1) IN GENERAL.—The Secretary shall, in consultation with the State of Texas, the City of Houston, and other appropriate organizations, carry out a study regarding the suitability and feasibility of establishing the Buffalo Bayou National Heritage Area in Houston, Texas.

(2) CONTENTS.—The study shall include analysis and documentation regarding whether the Study Area—

(A) has an assemblage of natural, historic, and cultural resources that together represent distinctive aspects of American heritage worthy of recognition, conservation, interpretation, and continuing use, and are best managed through partnerships among public and private entities and by combining diverse and sometimes noncontiguous resources and active communities;

(B) reflects traditions, customs, beliefs, and folklife that are a valuable part of the national story;

(C) provides outstanding opportunities to conserve natural, historic, cultural, or scenic features;

(D) provides outstanding recreational and educational opportunities;

(E) contains resources important to the identified theme or themes of the Study Area that retain a degree of integrity capable of supporting interpretation;

(F) includes residents, business interests, nonprofit organizations, and local and State governments that are involved in the planning, have developed a conceptual financial plan that outlines the roles for all participants, including the Federal Government, and have demonstrated support for the concept of a national heritage area;

(G) has a potential management entity to work in partnership with residents, business interests, nonprofit organizations, and local and State governments to develop a national heritage area consistent with continued local and State economic activity; and

(H) has a conceptual boundary map that is supported by the public.

(c) BOUNDARIES OF THE STUDY AREA.—The Study Area shall be comprised of sites in Houston, Texas, in an area roughly bounded by Shepherd Drive and extending to the Turning Basin, commonly referred to as the ''Buffalo Bayou''.

(d) SUBMISSION OF STUDY RESULTS.—Not later than 3 years after funds are first made available for this section, the Secretary shall submit to the Committee on Resources of the House of Representatives and the Committee on Energy and Natural Resources of the Senate a report describing the results of the study.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Oregon (Mr. WALDEN) and the gentlewoman from the Virgin Islands (Mrs. CHRISTENSEN) each will control 20 minutes.

The Chair recognizes the gentleman from Oregon (Mr. WALDEN).

Mr. WALDEN of Oregon. Madam Speaker, I yield myself such time as I may consume.

H.R. 1776, introduced by my friend the gentleman from Texas (Mr. GREEN), authorizes the Secretary of Interior to complete a study on the suitability and feasibility of establishing the Buffalo Bayou National Heritage Site in Houston, Texas. The designation would highlight the cultural, historic, political and economic significance that Buffalo Bayou played in the formation of modern day Houston.

The Buffalo Bayou, nicknamed the ''Highway of the Republic,'' played an important role in the history and development of the City of Houston and the State of Texas, particularly as an immigration and navigation route beginning in the 1820s. It was the most reliable route for navigation into the interior of Texas, which eventually led to the Houston Ship Channel. In addition, a multitude of historic sites, early ethnic neighborhoods, several segments of the Great Coastal Texas Birding Trail, and some of Houston's oldest park areas line the banks of the Buffalo Bayou.

Madam Speaker, this bill was amended at the subcommittee proceedings which specified criteria the Secretary shall consider in the development of the study, removed the appropriations authorization, and added the standard 3-year time limit for completing the study. The bill now has been agreed to by the minority and the administration. I urge my colleagues to support H.R. 1776, as amended.

Madam Speaker, I reserve the balance of my time.

Mrs. CHRISTENSEN. Madam Speaker, I yield myself such time as I may consume.

Madam Speaker, H.R. 1776 would authorize a study of an area in Houston, Texas known as Buffalo Bayou to determine whether it would be suitable and feasible to designate it as a National Heritage Area. The study would be governed by well-established criteria for making such determinations and the results would be presented back to the relevant committees in the House and Senate. Finally, the bill authorizes funding to complete the study.

Madam Speaker, the Buffalo Bayou is an important waterway both economically and historically. According to the findings in the legislation, the area played a significant role in the fight for Texas' independence as well as in the development of the petrochemical industry in Texas and in the Nation as a whole. Given this history, the area certainly sounds promising, but only a formal study can determine if Buffalo Bayou retains the kinds of resources required for addition to our National Park System.

We commend the gentleman from Texas (Mr. GREEN) on his hard work on this legislation and look forward to the results of this important study.

Madam Speaker, I yield such time as he may consume to the gentleman from Texas (Mr. GREEN).

Mr. GREEN of Texas. Madam Speaker, as the author of this legislation, I would like to thank my colleague the gentlewoman from the Virgin Islands (Mrs. CHRISTENSEN), also the gentleman from Utah (Mr. HANSEN), also former chairman of the subcommittee the gentleman from Colorado (Mr. HEFLEY) and also the gentleman from West Virginia (Mr. RAHALL) and the staff of the Committee on Resources for their great work on this bill.

H.R. 1776, the Buffalo Bayou National Heritage Area Study Act, begins a process of helping the people of Houston and east Harris County recognize the cultural significance of our community. The Buffalo Bayou waterway was the starting point for what is now the City of Houston.

The Allen brothers, Houston's original founders, first came through this stretch of water on their way to a new settlement that would eventually become Houston, Texas. As Houston grew, Buffalo Bayou grew with it as the heart of the early Gulf Coast industrial complex. The legislation being considered before us today authorizes the National Park Service to study whether this waterway should be designated as a National Heritage Area.

Although the National Park Service feasibility study does not in itself mark Buffalo Bayou as a National Heritage Area, it is the first step in that process.

As a lifetime Houston resident, I believe that designating Buffalo Bayou as a National Heritage Area would further the redevelopment of the community by bringing more Federal resources to our area. Such a designation would highlight the historic significance of this waterway and the surrounding community.

Buffalo Bayou is the original industrial spine of Houston and was the building block for what is now the Port of Houston, the Nation's second largest port. In addition, the numerous historic sites and events which have taken place in and around Buffalo Bayou makes this waterway a perfect candidate for a National Heritage Area designation.

All these facts will be borne out as the National Park Service begins to contact our local sponsor, the Buffalo Bayou Partnership. Anne Olson, Executive Director of the Buffalo Bayou Partnership, brings tremendous organizational and fund-raising abilities to this effort, and I will continue to work closely with her organization to incorporate this designation into the overall master plan for east Harris County. It is the strong public-private partnership already in place that will help gain a positive recommendation from the National Park Service on our designation request.

I believe local support is vital for making a National Heritage Area work. Madam Speaker, I am working in close collaboration with our local elected officials to map out an action plan that will provide maximum local flexibility in determining how our local history will be told if we receive such a National Heritage Area. This legislation has the strong support of both our Harris County Judge Robert Eckles and our Houston Mayor Lee Brown, both of whom recognize that our community has a historic story to tell our visitors. Their help has been invaluable. I would like to thank them for their assistance in this endeavor.

Madam Speaker, I again thank the committee and the staff for their efforts.

Ms. JACKSON-LEE of Texas. Madam Speaker, I rise in stong support of H.R. 1776, The "Buffalo Bayou National Heritage Area Study Act." This legislation is a welcome recognition of the historical background of my fair city, Houston, TX, and an opportunity to expand the rich cultural landscape of the American Southwest.

The Buffalo Bayou area in Texas helped to establish an economic foothold for settlers of the gulf coast region. Without this early industry, which included both shipping and refining petroleum, the Buffalo Bayou area might not have developed into the thriving metropolis it has become.

Madam Speaker, though the factual importance of Buffalo Bayou is clear, its significance to the socioeconomic landscape at place in America is not as fully known. This legislation will remedy that situation by authorizing the Department of the Interior to study the feasibility of establishing the Buffalo Bayou National Heritage Area in Houston. Passage of this legislation will allow this agency to analyze and document the area's natural, historic, and cultural resources. As I am confident that such a studies will lead to a full recognition of the wealth of Americana associated with what we now know as Houston, TX.

Madam Speaker, many Americans are unaware that many of this nation's most significant events have taken place in Texas. For example, Juneteenth, which is recognized by several States as the official holiday of Black emancipation, is based on events that took place in Texas. H.R. 1776 will help to discover and publicize other significant places and events in the development of our nation and way of life. By cooperating with local residents, public and private concerns, all relevant parties will be given an opportunity to work together to shape the collective memory of this historical treasure.

H.R. 1776 is an excellent example of the effective use Interior Department funds, and I encourage all Members to support this legislation.

Mr. BENTSEN. Madam Speaker, I rise in strong support of H.R. 1776, which authorizes a National Park Service study of a Buffalo Bayou National Heritage Area in Houston, Texas. I applaud our colleague Congressman GENE GREEN for introducing it. The City of Houston was founded on the banks of Buffalo Bayou by the Allen brothers and there Houston's future as a world shipping center was born. With the help of the U.S. Congress and the determination of early local leaders like Congressman Joseph C. Hutcheson, Congressman Thomas Henry Ball, and Mayor H. Baldwin Rice, the Houston Ship Channel was born out of the mouth of Buffalo Bayou.

Although Houston has achieved great prominence in maritime trade, Buffalo Bayou has means more to Houston than just commerce. Buffalo Bayou retains a great scenic beauty as it flows across Harris County through Memorial Park and Downtown to the San Jacinto River and has the potential to provide a great deal more scenic, open space, and historic community value.

This legislation will allow the National Park Service to investigate the potential for a Buffalo Bayou national heritage area. I congratulate my colleague and friend GENE GREEN for his hard work on the bill, and I believe the Park Service will find the Buffalo Bayou a unique historic cultural area deserving of financial and planning assistance for historic preservation, revitalization, and beautification efforts. If the Park Service and Congress both approve the Buffalo Bayou Heritage Area, Houston communities will have access to $10 million in improvement funds along with Park Service planning expertise. Today is the first step towards obtaining a Park Service commitment to enhancing the birthplace of Houston, our Nation's fourth largest city.

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

Mrs. CHRISTENSEN. Madam Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Oregon (Mr. WALDEN) that the House suspend the rules and pass the bill, H.R. 1776, as amended.

The question was taken; and (two-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.

EXPRESSING PROFOUND SORROW OF THE CONGRESS FOR DEATH AND INJURIES SUFFERED BY FIRST RESPONDERS IN AFTERMATH OF TERRORIST ATTACKS ON SEPTEMBER 11, 2001

Mr. LATOURETTE. Madam Speaker, I move to suspend the rules and agree to the concurrent resolution (H. Con. Res. 233) expressing the profound sorrow of the Congress for the death and injuries suffered by first responders as they endeavored to save innocent people in the aftermath of the terrorist attacks on the World Trade Center and the Pentagon on September 11, 2001.

The Clerk read as follows:

H. CON. RES. 233

Whereas law enforcement officers, firefighters, and emergency medical personnel are collectively known as first responders;

Whereas following the terrorist attacks on the World Trade Center and the Pentagon on September 11, 2001, first responders reacted immediately in evacuating and rescuing innocent people from the buildings;

Whereas first responders also arrived quickly at the crash site of United Airlines flight 93 in southwestern Pennsylvania;

Whereas if it were not for the heroic efforts of first responders immediately after the terrorist attacks, numerous additional casualties would have resulted from the attacks;

Whereas as the first emergency personnel to arrive at the scenes of the terrorist attacks, first responders risked their lives in their efforts to save others;

Whereas while first responders were bravely conducting the evacuation and rescue after the terrorist attack on the World Trade Center, the two towers of that complex collapsed, and many first responders themselves became victims of the attack;

Whereas the everyday well-being, security, and safety of Americans depend upon the official duties of first responders;

Whereas in addition to their official duties, first responders around the Nation participate in planning, training, and exercises to respond to terrorist attacks;

Whereas emergency managers, public health officials, and medical care providers also invest significant time in planning, training, and exercises to better respond to terrorist attacks in the United States;

Whereas the Nation has not forgotten the heroic efforts of first responders after the bombing of the World Trade Center on February 26, 1993, and the bombing of the Alfred P. Murrah Federal Building in Oklahoma City, Oklahoma, on April 19, 1995;

Whereas there are numerous Federal programs that help prepare first responders from across the Nation, including the Domestic Preparedness Program and other training and exercise programs administered by the Department of Justice;

Whereas there are also domestic preparedness programs administered by the Federal Emergency Management Agency, which together with the programs of the Department

of Justice support State and local first responders with funding, training, equipment acquisition, technical assistance, exercise planning, and execution;

Whereas many of the first responders who participate in such programs do so on their own time;

Whereas an effective response of local first responders to a terrorist attack saves lives; and

Whereas in response to a terrorist attack, first responders are exposed to a high risk of bodily harm and death as the first line of defense of the United States in managing the aftermath of the attack: Now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That the Congress—

(1) expresses its profound sorrow for the death and injuries suffered by first responders as they endeavored to save innocent people in the aftermath of the terrorist attacks on the World Trade Center and the Pentagon on September 11, 2001;

(2) expresses its deepest sympathies to the families and loved ones of the fallen first responders;

(3) honors and commends the first responders who participated in evacuating and rescuing the innocent people in the World Trade Center and the Pentagon after the terrorist attacks;

(4) encourages the President to issue a proclamation calling upon the people of the United States to pay respect to the first responder community for their service in the aftermath of the terrorist attacks and their continuing efforts to save lives; and

(5) encourages all levels of government to continue to work together to effectively coordinate emergency preparedness by providing the infrastructure, funding, and interagency communication and cooperation necessary to ensure that when another terrorist attack occurs, first responders will be as prepared as possible to respond to the attack effectively.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Ohio (Mr. LATOURETTE) and the gentleman from Illinois (Mr. COSTELLO) each will control 20 minutes.

The Chair recognizes the gentleman from Ohio (Mr. LATOURETTE).

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

Madam Speaker, I would first note that H. Con. Res. 233 was discharged from committee consideration and has been expeditiously brought to the floor for immediate action. Although this is not the normal process, in the interest of time the committee will occasionally discharge consideration, particularly for a measure as important as this. What the House will do in the next 40 minutes is important, and we will discuss, and this piece of legislation will honor true American heroes.

H. Con. Res. 233 recognizes the sacrifice and dedication of all of the emergency responders who risked their lives assisting in relief efforts following the terrorist attacks of September 11. Tragically, many of these initial responders became victims of the attacks and did not survive the collapse of the World Trade Center. Three hundred forty-three firefighters, 23 police officers, and 74 members of the Port Authority are all dead and many are still missing. Twenty-eight engine companies suffered losses in New York, and another 25 ladder companies. The Fire Department lost its chaplain and its heroic chief. In fact, Madam Speaker, so many commanders were lost that fateful morning that Mayor Giuliani needed to promote 168 new officers 2 days later. The sense of duty that these heroic men and women felt on the morning of September 11 is nothing short of extraordinary. Those on-duty, off-duty, retired, on medical leave and on vacation rushed to the scene. One group of firefighters even commandeered a city bus in order to get to the scene. They went in so thousands more could get out.

James Coyle, who was a rookie firefighter at age 26, was on vacation. He rushed to the scene to join Ladder Company No. 3 that morning and it cost him his life. Walwyn Stuart had left his job as a New York City narcotics cop when his wife became pregnant. He wanted safer work and he joined the Port Authority police. The morning of September 11 he was on duty at the PATH station at the World Trade Center. He helped evacuate the station and then went into the North Tower to save others. He has left behind a wife and a 1-year-old daughter.

James Corrigan, the World Trade Center fire marshal, is credited with leading a team of his men to get dozens of children out of day care facilities that morning. He and five of his colleagues died, but not before saving the children, some of whom were trapped because the exits near the day care center were clogged with folks trying to rush out of the building. Corrigan and his men broke through windows and carried the children through shattered glass to safety before rushing back in to help others.

Madam Speaker, there are so many stories of heroism and courage that have fortified our country since September 11. Americans have the most profound respect for our police and firefighters before and certainly now. These men and women were the first in, and to this day the rescuers have paused only to honor the dead and the missing. There are countless stories of firefighters having their charred, melted boots cut off their feet, of having their wounds bandaged and then defying doctors' orders and returning, battered and exhausted, to Ground Zero to try to find that one living miracle.

As a Nation, we are awed and humbled by their courage, their effort and their sacrifice. We thank those who rushed into the fiery World Trade Center and the Pentagon and rose to the challenge that was the core of their everyday lives and their beloved professions. We grieve for all those rescue workers who gave their lives, for the 4,700 innocent victims of this abhorrent terrorist attack, and for the family members and friends who are left behind.

So many lives were changed forever that morning. Fathers, mothers, sons, husbands, wives, daughters, coworkers and friends were lost. Those moments of terror forever changed the landscape of too many families in this country. Jean Palombo of Brooklyn, who was the wife of Frank Palombo of Ladder Company 105, became a widow at the age of 41. She is today left to raise 10 children, ages 11 months to 15 years, eight boys and two girls. Gigi Nelson was 8 months pregnant with her first child when her husband, Peter, went into the World Trade Center that morning. He was working overtime with Rescue Company No. 4 on September 11 to help out with the expenses of the new baby. Twenty-five days after the World Trade Center collapsed, Peter Nelson's first child, daughter Lyndsi Ann, was born. When she is old enough, Madam Speaker, she will learn of her father's heroism.

These children and so many others will grow up knowing what America knows, that their parents were heroes in the purest sense of the word. It is fitting that we take this opportunity to consider H. Con. Res. 233 to pay tribute to those first responders who perished while doing their jobs and while saving so many others.

I urge my colleagues to join in support of this resolution.

Madam Speaker, I reserve the balance of my time.

□ 1630

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

Madam Speaker, I am pleased to join the gentleman from Oklahoma (Mr. WATTS) and many of our colleagues in strong support of this legislation.

House Concurrent Resolution 233 honors and commends the first responders who responded to the call to evacuate and rescue thousands of people at the World Trade Center, the Pentagon, and the crash site of United Flight 93 in Pennsylvania following the horrific events of September 11.

This resolution also expresses our profound sorrow for the emergency service personnel who were injured or perished on September 11 and extends our sympathy to their families. It encourages the President of the United States to issue a proclamation calling upon the American people to support our emergency service workers and encourages all levels of government to continue to work together to coordinate emergency preparedness.

These first responders, our firefighters, law enforcement officers and emergency medical service personnel, risked and gave their lives so that others could get to safety.

In the immediate days following the attack, thousands of the first responders rushed to offer assistance, and many are still working around the clock at the World Trade Center and the Pentagon. We are very appreciative for what they have done and continue to do. Without their help, many more would have been injured or perished.

Our Nation's emergency preparedness is dependent upon our local first responders. Federal programs within FEMA and the Department of Justice help prepare and support first responder programs, but the strength of the program nationwide is that the service providers are local. They are often volunteers, and each of them is highly involved in their community.

I strongly encourage all levels of government to work together to more effectively plan and coordinate our Nation's domestic terrorism programs. As we have witnessed, the emergency responders are our first line of defense in the aftermath of a terrorist incident. It is critical that our Nation and our national preparedness programs assist our local first responders by providing them with the best information, training, and equipment.

Madam Speaker, our Nation's first responders deserve our gratitude for their heroic work on September 11 and what they do to protect and help all of us and our families 24 hours a day, 7 days a week, 365 days a year. I urge my colleagues to join me in supporting this legislation.

Madam Speaker, I reserve the balance of my time.

Mr. LATOURETTE. Madam Speaker, it is my pleasure to yield such time as he may consume to the gentleman from Oklahoma (Mr. WATTS), the author of House Concurrent Resolution 233.

Mr. WATTS of Oklahoma. Madam Speaker, I thank my friend from Ohio for yielding me time.

Madam Speaker, I rise to honor and respect and pay homage to the brave American firefighters, police officers, and emergency medical professionals who suffered injury and death as they helped those in need during the terrorist attack on our Nation.

September 11, 2001, stirs many feelings to many people. I feel happy to be an American. Witnessing the heroic actions by these first responders shows that even in the face of senseless violence, there can be good. Knowing that so many people came to the aid of their neighbors proves there is so much goodness in this great land that we all call home.

Just like the first responders 6 years ago in Oklahoma City, the emergency personnel in Manhattan, Pennsylvania, and at the Pentagon have done yeomen's work under the most difficult of circumstances. No one woke up that morning to know what would lie ahead. No one had warning or time to prepare that day. It was an immediate reaction of aid and rescuers, a life-saving effort of service to their country.

To the families of the fallen, nothing can bring back the lives of loved ones. But Congress today expresses its profound sorrow while offering its bottomless gratitude. We are sorry you are suffering over the loss of your family and friends. We are grateful for the heroism exhibited by first responders who put their country, their duty and their love of their neighbors before themselves.

The stories will be told for many years to come. There will be new anecdotes, new names and new faces. They will inspire generations of young first responders and offer reflection for all citizens alike.

First responders plan and train for mass casualties every day, hoping the need for such large and difficult rescue efforts remains an exercise. But September 11 was real. The loss of life and injury to first responders was real. The attacks on our Nation were real.

First responders will be there on the frontline for future tragedies. They will work night and day to rescue and assist the afflicted and the affected and the injured. We must never forget the work that they do. We must never forget the sacrifices that they make.

I thank my colleagues, and especially the gentleman from New York (Mr. ENGEL), who has cosponsored this resolution with me; and I urge all Members to support this tribute to the first responders who made the ultimate sacrifice during their service to our Nation.

Madam Speaker, I close by just reminding how often in the year 2001 in today's society, we often throw around the word hero, and we are pretty cavalier about the word hero. But if you want to go and see a real live hero, go look at the men and women who put on the uniforms every day to serve in our fire departments around the country, some on a volunteer basis, those men and women who put on the police uniforms every single day. I might add I am pretty proud to say my father was a police officer, so I know the sacrifices that those men and women make, the selfless commitment that they make to our communities, to our States, to our Nation.

On behalf of a grateful Nation, we say thank you to all of those first responders who go out every day and show us what real heroes are all about.

Mr. COSTELLO. Madam Speaker, I yield 5 minutes to the gentleman from New York (Mr. ENGEL).

Mr. ENGEL. Madam Speaker, I thank my friend for yielding me time; and I thank my colleague, the gentleman from Oklahoma (Mr. WATTS), for working with me on this resolution, as we have worked on so many other things in the past and will continue to do so in the future.

This resolution was being put together prior to the events of September 11, but the events of September 11 have made us realize even more how fortunate we are to have the first responders. First responders obviously did not start on September 11. They have been there with us for all time; and we are very, very deeply grateful.

The events of September 11 will be with us always. My thoughts and prayers are with all the families affected by this terrible tragedy. Though my heart is heavy, my spirits have been lifted by the incredible heroism and outpouring of support that we have witnessed since that day.

The American spirit has not been diminished. Instead, it has been energized. On behalf of New York, I want to sincerely thank my colleagues and the American people for their outpouring of support to all of us during these very, very difficult times.

I am so pleased to be here today and have the House of Representatives considering this resolution. It is, of course, timely and, of course, very warranted.

I think it is particularly poignant that the gentleman from Oklahoma (Mr. WATTS) is the sponsor of this resolution. I am proud to be a sponsor with him. The people of Oklahoma also know personally of the tragedy of terrorism.

I do not know of anyone who does not get choked up when we hear the stories of people rushing away from the World Trade Center on the terrible day of September 11. But when they were rushing away, they were passing firefighters and police officers and emergency medical personnel who were running toward the World Trade Center. These first responders did not think of their own lives; they thought of saving other lives.

So this resolution honors and commends the first responders, law enforcement officers, firefighters, and emergency medical personnel, who participated in evacuating and rescuing people at the World Trade Center and the Pentagon after the terrorist attacks on September 11. It also expresses Congress' profound sorrow for the deaths and injuries suffered by first responders and extends its deepest sympathies to the families and loved ones of those who died.

I might say I visited ground zero a number of times and have again been overwhelmed by the outpouring of first responders again trying to pick through the rubble and trying to help and just trying to give comfort. First responders, ironworkers, my dad was an ironworker for 40 years. It is something that really makes us proud to be Americans, proud to be New Yorkers.

Like so many people, like so many New Yorkers, I have been personally affected by the attacks. My good friend and constituent, Sally Reganhard, lost her son Christian, who was also my constituent. Christian was a firefighter for only 6 weeks in New York City, and on September 11 he responded to the call of duty as he had during those past 6 weeks. We memorialized him last Friday at St. Patrick's Cathedral in New York. It was very, very difficult. There were thousands and thousands of people there, and firefighters from all around the country and Canada.

Although my friend is very sad, indeed she and I and everyone who knew Christian are also very proud. He will always be with us and will always be a great role model and hero, again, as will all the other first responders who responded on those days.

All Americans owe so much to these brave men and women that Congress is

taking the time to recognize. It is the least we can do. Again I want to thank all my colleagues on both sides of the aisle who have done so much to make this resolution a reality. We will continue to provide aid and comfort to those who suffered the terrible tragedies of September 11.

Mr. LATOURETTE. Madam Speaker, it is my pleasure to yield such time as he may consume to the gentleman from Maryland (Mr. GILCHREST).

Mr. GILCHREST. Madam Speaker, I thank the chairman for yielding me time.

I want to thank the chairman and ranking member and the staff on both sides for bringing this resolution to the floor in what really is a timely manner for us to say a few words to, in the way we can, to honor those people who went to the tragedy to save lives and to comfort the afflicted.

Whether they were firemen or policemen or medical personnel or just an average citizen responding to a tragedy, they responded in a way to save lives. They responded in a way to comfort those who were injured. They did not respond to political ideology, they did not respond to religious differences, they did not respond to the cultural divide that separates us from much of the rest of the world. They responded, pure and simple, to human suffering, human tragedy and human need. This is what we come here today to honor.

It is very difficult for us to comprehend the madness that caused this tragedy. That is in fact pervasive and persistent in a tiny fraction of the human population. But it is easy to understand why so many brave men and women gave their lives on that tragic morning of September 11. It is easy for us, and we should always remember the unity of purpose for which they gave their lives and for which we are here this afternoon honoring that courage and that strength. It is for those young men and women, those middle-aged men and women, and those senior citizens that gave their lives that morning and for their friends and for their relatives and for America, to never forget. We will prevail.

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

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

Madam Speaker, to briefly close, we want to thank on the subcommittee and the full committee the work of the gentleman from Oklahoma (Mr. WATTS) and the gentleman from New York (Mr. ENGEL) for bringing this important piece of legislation to our attention. We want to thank the leadership of our committee, the gentleman from Minnesota (Mr. OBERSTAR) and the gentleman from Alaska (Mr. YOUNG), for making sure it is being expeditiously considered.

Madam Speaker, there are some things that you do not think you are going to see in life. Many in this Chamber and have had the opportunity to visit the carnage at the Pentagon and what was the World Trade Center, what is known as ground zero, but no one in this Chamber was there as it was occurring. But the men and women that we honor with H. Con. Res. 233 were in fact there.

I was struck, I come from a small town, I know my ranking member, the gentleman from Illinois (Mr. COSTELLO), does not come from a big area like the gentleman from New York City (Mr. ENGEL), but from time to time in our local newspapers we will see a display such as it this, and it will be the smiling graduating class of a police or fire academy.

□ 1645

On September 23, this ran in The New York Times. Madam Speaker, these faces are the faces of those who died in an attempt to save others, not just an attempt, they saved countless others on the morning of September 11. It is not until that we can look at two full pages in the newspaper of lives that were full and vibrant prior to that morning of September 11 that we recognize again not only the gravity of what these terrorists have done to our country, but the raw courage of the first responders and the fire, the police and the Port Authority of New York City and in Washington, D.C. as well. So I am certain that every one of our colleagues will support this legislation, and I urge them to do that.

Ms. JACKSON-LEE of Texas. Madam Speaker, I rise in support of H. Con. Res. 233. Passage of this resolution pays proper respect to those brave public servants who were first to arrive at the World Trade Center and the Pentagon after the events that unfolded September 11, 2001.

Madam Speaker, it has been nearly two months since the Nation was shocked into a new reality by agents of terror. In the days and weeks following these events, Americans of all races and creeds have been impressed with both the magnitude of the task those who responded first had to perform and the valor with which these public servants performed their duties.

People all over the world have taken to calling these men and women heroes because of their selflessness, and this body should be no exception. It is fitting, then that we take time here today to honor those heroes. Those first to respond must hear clearly that America says thank you. Those first responders who were injured or lost their lives must also be recognized. To those brave public servants and their families I say, ''thank you for all you have sacrificed for this nation.''

Madam Speaker we find ourselves in a new war. In this new war, we must develop new levels of respect for those who choose to save lives for a living. The contribution they have chosen to make to society has taken on a renewed importance. It is therefore of the utmost importance that we continue to find ways to integrate the actions of the various civic, state and federal institutions whose personnel must coordinate actions at the scene of a tragedy.

This Congress is united in its support for those citizens whose job it is to save the day. We thank you and honor you for the work that you have done, and we ask that God continue to bless you as we face this uncertain future.

Mr. CRAWLEY. Madam Speaker, first I would like to thank Congressman WATTS and my friend, Congressman ENGEL of New York for sponsoring this important resolution.

Who are first responders?

First responders are the brave policemen and women who raced to the scene of these horrific crimes against humanity. They are the firemen and women who raced to crumbling buildings veiled in stinging smoke and filled with fire without any thought to their personal safety. They were the emergency rescue personnel, EMT's, that perished in last month's terrorist attacks so that others may live.

I do not think it is not an overstatement to say that the American spirit is embodied in the way these brave men and women lived and died.

What makes a nation great?

Our nation is built upon the principle that all men and women are created equal and free. Our government institutions, our economic might and our preeminent military strength all make America an envied model. But they are more the result than the cause of greatness.

The true source of our greatness is a national spirit that imbues so many with the will to give what Abraham Lincoln called, ''the last full measure of devotion.'' Defending a cause larger than one's self. Risking their lives so that others may be saved. That is what these men and women did, and I ask my colleagues to join me in honoring these fallen heroes.

This bill is in memory of those who have made the ultimate sacrifice. May we always remember those who died so that others may live. And may we honor these brave men and women for their last full measure of devotion.

Mr. GILMAN. Madam Speaker, I rise in strong support of H. Con. Res. 233, expressing Congress' profound sorrow for the death and injuries suffered by first responders in the aftermath of the September 11 Terrorist attacks.

As our Nation resolutely moves forward in the wake of the recent terrorist attacks, we remember the bravery and selfless sacrifices of all the men and women in uniform who rushed in to save their fellow citizens in the myriad emergency situations which arose from the September 11th barbaric, terrorist attacks on our Nation.

In my own district we lost over 35 firefighters and policeofficers in the September 11th attacks on New York, in addition to over 65 next of kin. These brave first responders paid the ultimate sacrifice in the valiant execution of their duties and their heroism will remain an enduring legacy to our Nation. We must never forget that thousands of innocent American citizens were saved by the actions of these first responders. We thank and honor them for their service to their country and to their fellow citizens. Accordingly I urge my colleagues to support this important measure.

Mr. SMITH of Michigan. Madam Speaker, with this resolution we honor those who on September 11 paid the ultimate sacrifice—the firefighters, emergency medical personnel, and police who are the first to arrive at the scene of an emergency, and the last to leave.

According to the International Association of Fire Fighters, more public safety officers were lost in the attack on the United States yesterday than any other single event in modern history.

As the Nation mourns the deaths of thousands of our fellow citizens, as we take stock of the destruction caused by last week's terrorist attacks, we should also pause for a moment to reflect on the brave men and women in New York City who put their lives on the line to protect fellow citizens.

In every small town and suburb and big city across America, there are people just like the over 300 first responders who gave their lives in New York. In Michigan, we too have experienced the loss of emergency personnel. Last year alone, four Michigan firefighters lost their lives. Each of these deaths is a tragedy for family, friends, and community.

What happened at the World Trade Center in New York will live in our memories forever. We can be proud that at a time of great peril, the Nation's first responders answered the call, conducting themselves with a selflessness and dedication that does credit to themselves, their city, and their country.

Many thousands of people would not be alive today if it were not for the heroic efforts of these men and women. In one of the country's darkest hours, they kept faith with their colleagues, with those in need, and with their country.

Our Nation's founders were deeply committed to the idea that the individual had an obligation to serve the community. The Nation's first responders live this ideal every day. They lived it again on September 11, and because they did, they gave their lives.

While we have cause to mourn these deaths, we should also celebrate the values their lives exhibited, values that represent the very best of America.

We have suffered a grievous loss. But the wonderful thing about America is that we will bounce back. For every firefighter who fell on September 11, someone else will take his place. For every emergency responder who paid with his life, another will emerge. For every police and port authority officer who fell in the line of duty, another citizen will answer the call. That is the American way.

On September 11, the Nation's firefighters showed the world what courage means. If we expect the fire services—many of whom depend on volunteers—to deal with terrorist attacks, we have a responsibility to provide them with the help they need so that they can continue to protect lives and property.

Madam Speaker, as a member of the conference on the defense authorization bill, I will be pushing for a large increase in the authorized funding for the Assistance to Firefighters Grants Program to $1 billion for each fiscal years 2002, 2003, and 2004.

Our thoughts and our prayers are with the families of the fallen heroes to whom we owe so much. God bless those who have died, God bless their families, and God bless America.

Mr. WALSH. Madam Speaker, I also rise in support of this resolution sponsored by Congressmen ENGEL and WATTS, that expresses our profound sorrow for the senseless loss of life and injuries suffered by our heroic first responders as a result of the World Trade Center, Pentagon, and Pennsylvania tragedies on Tuesday, September 11, 2001. My prayers, thoughts and deepest sympathies are with their families and loved ones at this definitive moment in American history.

Tocqueville once said of Americans, ''They show with complacency how an enlightened regard for themselves constantly prompts them to assist one another and inclines their willingness to sacrifice a portion of their time and property to the welfare of the state.'' These words describe the 300 firefighters and 70 police officers that have died in this senseless tragedy. Their names are forever inscribed on the portals of fame. America now truly understands how much we as a nation owe these heroic people, both those who have made the ultimate sacrifice, and those who continue to serve with honor day in and day out. God help us always to have these men and women who believe in what they are doing and who will fight to the very end for what they believe.

This resolution also speaks to the unity of public safety officers. There is an old saying in the fire service that goes, ''Firemen are a brotherhood. They do not care what department a man belongs, if he is a fireman enrolled for the same purpose, fighting under the same banner, they are ready to extend the hand of fellowship.'' This is true literally and figuratively. Literally, there are many families who serve together as firefighters and police officers or both in New York City. Currently, they are working to help recover their figurative brothers and sisters. This figurative bond was also evident with the outpouring of help that came into the New York City, and Virginia from around the country and the world. So much help, that some of it had to be turned away. The literal and figurative unity is stronger than ever as a result of the attacks on our country.

When I visited the Pentagon and ''Ground Zero'' with President Bush in New York, I saw first hand the destruction and the tireless rescue efforts underway. I thought to myself, ''why do these people, the firefighters and police officers, do what they do?'' I soon recalled a book I had read in the 1970's by Dennis Smith, a retired New York City fireman and founder of Firehouse Magazine who also assisted in the rescue efforts. In his classic book ''Report from Engine Co. 82'', an account of his life on a South Bronx fireman, Smith said after recovering a victim who had perished in a fire, ''I don't say anything further, nor does Billy, as I look up to his eyes. They are almost fully closed, but I can see they are wet and teary. The corneas are red from heat and smoke, and light reflects from the watered surface, and they sparkle. I wish my wife, my mother, and everyone who has ever asked me why I do what I do, could see the humanity, the sympathy, the sadness of these eyes, because this is the reason I continue to be a firefighter.'' America saw this same scene played out time and time again on September 11th and the following days. As a result, we as a nation can start to understand why they continuously sacrifice their lives and pay them a long overdue thank you.

We thank them, we praise them, and we will never forget them. God bless these heroes, their families and God bless America.

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

The SPEAKER pro tempore (Mrs. BIGGERT). The question is on the motion offered by the gentleman from Ohio (Mr. LATOURETTE) that the House suspend the rules and agree to the concurrent resolution, H. Con. Res. 233.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds of those present have voted in the affirmative.

Mr. LATOURETTE. Madam Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX and the Chair's prior announcement, further proceedings on this motion will be postponed.

GENERAL LEAVE

Mr. LATOURETTE. Madam Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous material on H. Con. Res. 233.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Ohio?

There was no objection.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12 of rule I, the Chair declares the House in recess until approximately 6 p.m.

Accordingly (at 4 o'clock and 46 minutes p.m.), the House stood in recess until approximately 6 p.m.

□ 1800

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. GILCHREST) at 6 p.m.

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 each motion to suspend the rules on which further proceedings were postponed earlier today.

Votes will be taken in the following order:

House Concurrent Resolution 243, by the yeas and nays;

H.R. 2559, by the yeas and nays;

H.R. 2910, by the yeas and nays;

House Concurrent Resolution 233, by the yeas and nays.

The Chair will reduce to 5 minutes the time for any electronic vote after the first such vote in this series.

PRESENTATION OF PUBLIC SAFETY OFFICER MEDAL OF VALOR IN RESPONSE TO TERRORIST ATTACKS OF SEPTEMBER 11, 2001

The SPEAKER pro tempore. The pending business is the question of suspending the rules and agreeing to the concurrent resolution, H. Con. Res. 243.

The Clerk read the title of the concurrent resolution.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Wisconsin (Mr.

SENSENBRENNER) that the House suspend the rules and agree to the concurrent resolution, H. Con. Res. 243, on which the yeas and nays are ordered.

The vote was taken by electronic device, and there were—yeas 409, nays 0, not voting 23, as follows:

[Roll No. 408]

YEAS—409

Abercrombie
Ackerman
Aderholt
Akin
Allen
Andrews
Armey
Baca
Bachus
Baird
Baker
Baldacci
Baldwin
Ballenger
Barcia
Barr
Barrett
Bartlett
Barton
Bass
Becerra
Bentsen
Bereuter
Berkley
Berman
Berry
Biggert
Bilirakis
Bishop
Blagojevich
Blumenauer
Blunt
Boehlert
Boehner
Bonilla
Bonior
Bono
Borski
Boswell
Boyd
Brady (PA)
Brown (FL)
Brown (OH)
Brown (SC)
Bryant
Burr
Burton
Buyer
Callahan
Calvert
Camp
Cannon
Cantor
Capito
Capps
Capuano
Cardin
Carson (IN)
Castle
Chabot
Chambliss
Clay
Clayton
Clement
Clyburn
Coble
Collins
Combest
Condit
Costello
Cox
Coyne
Cramer
Crane
Crenshaw
Crowley
Culberson
Cummings
Cunningham
Davis (CA)
Davis (FL)
Davis (IL)
Davis, Jo Ann
Davis, Tom
Deal
DeFazio
Delahunt
DeLauro
DeMint
Deutsch
Diaz-Balart
Dicks
Dingell
Doggett
Doolittle
Doyle
Dreier
Duncan
Edwards
Ehlers
Ehrlich
Emerson
Engel
English
Eshoo
Etheridge
Evans
Everett
Farr
Fattah
Ferguson
Filner
Flake
Fletcher
Foley
Forbes
Ford
Fossella
Frank
Frelinghuysen
Frost
Gallegly
Ganske
Gekas
Gephardt
Gibbons
Gilchrest
Gillmor
Gilman
Gonzalez
Goode
Goodlatte
Gordon
Goss
Graham
Graves
Green (TX)
Green (WI)
Grucci
Gutierrez
Gutknecht
Hall (OH)
Hall (TX)
Hansen
Harman
Hart
Hastings (FL)
Hastings (WA)
Hayes
Hayworth
Hefley
Herger
Hill
Hilleary
Hilliard
Hinchey
Hinojosa
Hobson
Hoeffel
Hoekstra
Holden
Holt
Honda
Horn
Hostettler
Houghton
Hoyer
Hulshof
Hunter
Hyde
Inslee
Isakson
Israel
Issa
Istook
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Jenkins
John
Johnson (CT)
Johnson (IL)
Johnson, E. B.
Johnson, Sam
Jones (NC)
Jones (OH)
Kanjorski
Kaptur
Kelly
Kennedy (MN)
Kennedy (RI)
Kerns
Kildee
Kilpatrick
Kind (WI)
King (NY)
Kingston
Kirk
Kleczka
Knollenberg
Kolbe
Kucinich
LaFalce
LaHood
Lampson
Langevin
Lantos
Largent
Larsen (WA)
Larson (CT)
Latham
LaTourette
Leach
Lee
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Linder
Lipinski
LoBiondo
Lofgren
Lowey
Lucas (KY)
Lucas (OK)
Luther
Lynch
Maloney (CT)
Maloney (NY)
Manzullo
Markey
Mascara
Matheson
Matsui
McCarthy (MO)
McCarthy (NY)
McCollum
McDermott
McGovern
McInnis
McIntyre
McKeon
McKinney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Mica
Millender-McDonald
Miller, Dan
Miller, Gary
Miller, George
Miller, Jeff
Mink
Mollohan
Moore
Moran (KS)
Moran (VA)
Morella
Myrick
Nadler
Napolitano
Neal
Nethercutt
Ney
Norwood
Nussle
Oberstar
Obey
Olver
Ortiz
Osborne
Ose
Otter
Owens
Oxley
Pallone
Pascrell
Pastor
Paul
Payne
Pelosi
Pence
Peterson (MN)
Peterson (PA)
Petri
Phelps
Pickering
Pitts
Platts
Pombo
Pomeroy
Portman
Price (NC)
Pryce (OH)
Putnam
Quinn
Radanovich
Rahall
Ramstad
Rangel
Regula
Rehberg
Reyes
Reynolds
Rivers
Rodriguez
Roemer
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Ross
Rothman
Roukema
Roybal-Allard
Royce
Rush
Ryan (WI)
Ryun (KS)
Sabo
Sanchez
Sanders
Sandlin
Sawyer
Saxton
Schaffer
Schakowsky
Schiff
Schrock
Scott
Sensenbrenner
Serrano
Sessions
Shadegg
Shaw
Shays
Sherman
Sherwood
Shimkus
Shuster
Simmons
Simpson
Skeen
Skelton
Slaughter
Smith (MI)
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Solis
Souder
Spratt
Stark
Stearns
Stenholm
Strickland
Stump
Stupak
Sununu
Sweeney
Tancredo
Tanner
Tauscher
Tauzin
Taylor (MS)
Taylor (NC)
Terry
Thomas
Thompson (CA)
Thornberry
Thune
Thurman
Tiahrt
Tiberi
Tierney
Toomey
Towns
Traficant
Turner
Udall (CO)
Udall (NM)
Upton
Velazquez
Visclosky
Vitter
Walden
Walsh
Wamp
Waters
Watkins (OK)
Watson (CA)
Watt (NC)
Watts (OK)
Waxman
Weiner
Weldon (FL)
Weldon (PA)
Weller
Wexler
Whitfield
Wicker
Wilson
Wolf
Woolsey
Wu
Wynn
Young (AK)
Young (FL)

NOT VOTING—23

Boucher
Brady (TX)
Carson (OK)
Conyers
Cooksey
Cubin
DeGette
DeLay
Dooley
Dunn
Granger
Greenwood
Hooley
Keller
McCrery
McHugh
Menendez
Murtha
Northup
Riley
Rogers (KY)
Shows
Thompson (MS)

□ 1824

So (two-thirds having voted in favor thereof) the rules were suspended and the concurrent resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Mrs. NORTHUP. Mr. Speaker, on rollcall No. 408 I was inadvertently detained. Had I been present, I would have voted "yea."

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. GILCHREST). Pursuant to clause 8 of rule XX, the Chair will reduce to 5 minutes the minimum time for electronic voting on each additional motion to suspend the rules on which the Chair has postponed further proceedings.

FEDERAL LONG-TERM CARE INSURANCE AMENDMENTS ACT

The SPEAKER pro tempore. The pending business is the question of suspending the rules and passing the bill, H.R. 2559.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from Virginia (Mrs. JO ANN DAVIS) that the House suspend the rules and pass the bill, H.R. 2559, 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 406, nays 1, not voting 25, as follows:

[Roll No. 409]

YEAS—406

Abercrombie
Ackerman
Aderholt
Akin
Allen
Andrews
Armey
Baca
Bachus
Baird
Baker
Baldacci
Baldwin
Ballenger
Barcia
Barr
Barrett
Bartlett
Barton
Bass
Becerra
Bentsen
Bereuter
Berkley
Berman
Berry
Biggert
Bilirakis
Bishop
Blagojevich
Blumenauer
Blunt
Boehlert
Boehner
Bonilla
Bonior
Bono
Borski
Boswell
Boyd
Brady (PA)
Brown (FL)
Brown (OH)
Brown (SC)
Bryant
Burr
Burton
Buyer
Callahan
Calvert
Camp
Cannon
Capito
Capps
Capuano
Cardin
Carson (IN)
Castle
Chabot
Chambliss
Clay
Clayton
Clement
Clyburn
Coble
Collins
Combest
Condit
Costello
Cox
Coyne
Cramer
Crane
Crenshaw
Crowley
Culberson
Cummings
Cunningham
Davis (CA)
Davis (FL)
Davis (IL)
Davis, Jo Ann
Davis, Tom
Deal
DeFazio
Delahunt
DeLauro
DeMint
Deutsch
Diaz-Balart
Dicks
Dingell
Doggett
Doolittle
Doyle
Dreier
Duncan
Edwards
Ehlers
Ehrlich
Emerson
Engel
English
Eshoo
Etheridge
Evans
Everett
Farr
Fattah
Ferguson
Filner
Flake
Fletcher
Foley
Forbes
Ford
Fossella
Frank
Frost
Gallegly
Ganske
Gekas
Gephardt
Gibbons
Gilchrest
Gillmor
Gilman
Gonzalez
Goode
Goodlatte
Gordon
Goss
Graham
Graves
Green (TX)
Green (WI)
Grucci
Gutierrez
Gutknecht
Hall (OH)
Hall (TX)
Hansen
Harman
Hart
Hastings (FL)
Hastings (WA)
Hayes
Hayworth
Hefley
Herger
Hill
Hilleary
Hilliard
Hinchey
Hinojosa
Hobson
Hoeffel
Hoekstra
Holden
Holt
Honda
Horn
Hostettler
Houghton
Hoyer
Hulshof
Hunter
Hyde
Inslee
Isakson
Israel
Issa
Istook
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Jenkins
John
Johnson (CT)
Johnson (IL)
Johnson, E. B.
Johnson, Sam
Jones (NC)
Jones (OH)
Kanjorski
Kaptur
Kelly
Kennedy (MN)
Kennedy (RI)
Kerns
Kildee
Kilpatrick
Kind (WI)
King (NY)
Kingston
Kirk
Kleczka
Knollenberg
Kolbe
Kucinich
LaFalce
LaHood
Lampson
Langevin
Lantos
Largent
Larsen (WA)
Larson (CT)
Latham
LaTourette
Leach
Lee
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Linder
Lipinski
LoBiondo
Lofgren
Lowey
Lucas (KY)
Lucas (OK)
Luther
Lynch
Maloney (CT)
Maloney (NY)
Manzullo
Markey
Mascara
Matheson
Matsui
McCarthy (MO)
McCarthy (NY)
McCollum
McDermott

McGovern
McInnis
McIntyre
McKeon
McKinney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Mica
Millender-McDonald
Miller, Dan
Miller, Gary
Miller, George
Miller, Jeff
Mink
Mollohan
Moore
Moran (KS)
Moran (VA)
Morella
Myrick
Nadler
Napolitano
Neal
Nethercutt
Ney
Northup
Norwood
Nussle
Oberstar
Obey
Olver
Ortiz
Osborne
Ose
Otter
Owens
Oxley
Pallone
Pascrell
Pastor
Payne
Pelosi
Pence
Peterson (MN)
Peterson (PA)
Petri
Phelps
Pickering
Pitts
Platts
Pombo
Pomeroy
Portman
Price (NC)
Pryce (OH)
Putnam
Quinn
Radanovich
Rahall
Ramstad
Rangel
Regula
Rehberg
Reyes
Reynolds
Rivers
Rodriguez
Roemer
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Ross
Rothman
Roukema
Roybal-Allard
Royce
Rush
Ryan (WI)
Ryun (KS)
Sabo
Sanchez
Sanders
Sawyer
Saxton
Schaffer
Schakowsky
Schiff
Schrock
Scott
Sensenbrenner
Serrano
Sessions
Shadegg
Shaw
Shays
Sherman
Sherwood
Shimkus
Shuster
Simmons
Simpson
Skeen
Skelton
Slaughter
Smith (MI)
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Solis
Souder
Spratt
Stark
Stearns
Stenholm
Strickland
Stump
Stupak
Sununu
Sweeney
Tancredo
Tanner
Tauscher
Tauzin
Taylor (MS)
Taylor (NC)
Terry
Thomas
Thompson (CA)
Thornberry
Thune
Thurman
Tiahrt
Tiberi
Tierney
Toomey
Towns
Traficant
Turner
Udall (CO)
Udall (NM)
Upton
Velazquez
Visclosky
Vitter
Walden
Walsh
Wamp
Waters
Watkins (OK)
Watson (CA)
Watt (NC)
Watts (OK)
Waxman
Weiner
Weldon (FL)
Weldon (PA)
Weller
Wexler
Whitfield
Wicker
Wilson
Wolf
Woolsey
Wu
Wynn
Young (AK)
Young (FL)

NAYS—1

Paul

NOT VOTING—25

Boucher
Brady (TX)
Cantor
Carson (OK)
Conyers
Cooksey
Cubin
DeGette
DeLay
Dooley
Dunn
Frelinghuysen
Granger
Greenwood
Hooley
Keller
McCrery
McHugh
Menendez
Murtha
Riley
Rogers (KY)
Sandlin
Shows
Thompson (MS)

□ 1835

So (two-thirds present having voted in favor thereof) the rules were suspended and the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Mr. CANTOR. Mr. Speaker, on rollcall No. 409 I was unavoidably detained. Had I been present, I would have voted "yea."

NORMAN SISISKY POST OFFICE BUILDING

The SPEAKER pro tempore (Mr. GILCHREST). The pending business is the question of suspending the rules and passing the bill, H.R. 2910.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from Virginia (Mrs. JO ANN DAVIS) that the House suspend the rules and pass the bill, H.R. 2910, 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 405, nays 0, not voting 27, as follows:

[Roll No. 410]

YEAS—405

Abercrombie
Ackerman
Aderholt
Akin
Allen
Andrews
Armey
Baca
Bachus
Baird
Baker
Baldacci
Baldwin
Ballenger
Barcia
Barr
Barrett
Bartlett
Barton
Bass
Becerra
Bentsen
Bereuter
Berkley
Berman
Berry
Biggert
Bilirakis
Bishop
Blagojevich
Blumenauer
Blunt
Boehlert
Boehner
Bonilla
Bonior
Bono
Borski
Boswell
Boyd
Brady (PA)
Brown (FL)
Brown (OH)
Brown (SC)
Bryant
Burr
Burton
Buyer
Callahan
Calvert
Camp
Cannon
Cantor
Capito
Capps
Capuano
Cardin
Carson (IN)
Castle
Chabot
Chambliss
Clay
Clayton
Clement
Clyburn
Coble
Collins
Combest
Condit
Costello
Cox
Coyne
Cramer
Crane
Crenshaw
Crowley
Culberson
Cummings
Cunningham
Davis (CA)
Davis (FL)
Davis (IL)
Davis, Jo Ann
Davis, Tom
Deal
DeFazio
Delahunt
DeLauro
DeMint
Deutsch
Diaz-Balart
Dicks
Dingell
Doggett
Doolittle
Doyle
Dreier
Duncan
Ehlers
Ehrlich
Emerson
Engel
English
Eshoo
Etheridge
Everett
Farr
Fattah
Ferguson
Filner
Flake
Fletcher
Foley
Forbes
Ford
Fossella
Frank
Frelinghuysen
Frost
Gallegly
Ganske
Gekas
Gephardt
Gibbons
Gilchrest
Gillmor
Gilman
Gonzalez
Goode
Goodlatte
Gordon
Goss
Graham
Graves
Green (TX)
Green (WI)
Grucci
Gutierrez
Gutknecht
Hall (OH)
Hall (TX)
Hansen
Harman
Hart
Hastings (FL)
Hastings (WA)
Hayes
Hayworth
Hefley
Herger
Hill
Hilleary
Hilliard
Hinchey
Hinojosa
Hobson
Hoeffel
Hoekstra
Holden
Holt
Honda
Hooley
Horn
Hostettler
Houghton
Hoyer
Hulshof
Hyde
Inslee
Isakson
Israel
Issa
Istook
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Jenkins
John
Johnson (CT)
Johnson (IL)
Johnson, E. B.
Johnson, Sam
Jones (NC)
Jones (OH)
Kanjorski
Kaptur
Kelly
Kennedy (MN)
Kennedy (RI)
Kerns
Kildee
Kilpatrick
Kind (WI)
King (NY)
Kingston
Kirk
Kleczka
Knollenberg
Kolbe
Kucinich
LaFalce
LaHood
Lampson
Langevin
Lantos
Largent
Larsen (WA)
Larson (CT)
Latham
LaTourette
Leach
Lee
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Linder
Lipinski
LoBiondo
Lofgren
Lowey
Lucas (KY)
Lucas (OK)
Luther
Lynch
Maloney (CT)
Maloney (NY)
Manzullo
Markey
Mascara
Matheson
Matsui
McCarthy (MO)
McCarthy (NY)
McCollum
McDermott
McGovern
McInnis
McIntyre
McKeon
McKinney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Mica
Millender-McDonald
Miller, Dan
Miller, Gary
Miller, George
Miller, Jeff
Mink
Mollohan
Moore
Moran (KS)
Moran (VA)
Morella
Myrick
Nadler
Napolitano
Neal
Nethercutt
Ney
Norwood
Nussle
Oberstar
Obey
Olver
Ortiz
Osborne
Ose
Otter
Owens
Oxley
Pallone
Pascrell
Pastor
Paul
Payne
Pelosi
Pence
Peterson (MN)
Peterson (PA)
Petri
Phelps
Pickering
Pitts
Platts
Pombo
Pomeroy
Portman
Price (NC)
Pryce (OH)
Putnam
Radanovich
Rahall
Ramstad
Rangel
Regula
Rehberg
Reyes
Reynolds
Rivers
Rodriguez
Roemer
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Ross
Rothman
Roukema
Roybal-Allard
Royce
Rush
Ryan (WI)
Ryun (KS)
Sabo
Sanchez
Sanders
Sandlin
Sawyer
Saxton
Schaffer
Schakowsky
Schiff
Schrock
Scott
Sensenbrenner
Serrano
Sessions
Shadegg
Shaw
Shays
Sherman
Sherwood
Shimkus
Shuster
Simmons
Simpson
Skeen
Skelton
Slaughter
Smith (MI)
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Solis
Souder
Spratt
Stark
Stearns
Stenholm
Strickland
Stump
Stupak
Sununu
Sweeney
Tancredo
Tanner
Tauscher
Tauzin
Taylor (MS)
Taylor (NC)
Terry
Thomas
Thompson (CA)
Thornberry
Thune
Thurman
Tiahrt
Tiberi
Tierney
Toomey
Towns
Traficant
Turner
Udall (CO)
Udall (NM)
Upton
Velazquez
Visclosky
Vitter
Walden
Walsh
Wamp
Waters
Watkins (OK)
Watson (CA)
Watt (NC)
Watts (OK)
Waxman
Weiner
Weldon (FL)
Weldon (PA)
Weller
Wexler
Whitfield
Wicker
Wilson
Wolf
Woolsey
Wu
Wynn
Young (FL)

NOT VOTING—27

Boucher
Brady (TX)
Carson (OK)
Conyers
Cooksey
Cubin
DeGette
DeLay
Dooley
Dunn
Edwards
Evans
Granger
Greenwood
Hunter
Keller
McCrery
McHugh
Menendez
Murtha
Northup
Quinn
Riley
Rogers (KY)
Shows
Thompson (MS)
Young (AK)

□ 1843

So (two-thirds having voted in favor thereof) the rules were suspended and the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Mrs. NORTHUP. Mr. Speaker, on rollcall No. 410 I was inadvertently detained. Had I been present, I would have voted "yea."

TRIBUTE TO THE HONORABLE JERRY SOLOMON, FORMER REPRESENTATIVE FROM NEW YORK

Mr. SWEENEY. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. SWEENEY. Mr. Speaker, as the Member who succeeded Congressman

Jerry Solomon to this body 3 years ago, I am sad to report his untimely passing.

Jerry Solomon served in this body with distinction for 20 years, since 1978. We are all familiar with the phrase ''My country, right or wrong.'' With Jerry, it was more basic than that; it was ''My country is right.''

Congressman Solomon has many friends in this House, and I count myself among them. I doubt there is one among us who did not respect him. He was an American's American, a Marine's Marine, a veteran's veteran.

Devoted to his wife, Freda, his five children, and his six grandchildren, Jerry Solomon became a great statesman but always remained a loving husband, father, and grandfather.

He was a man who ''called 'em as he saw 'em.'' Over his career, he led the way on veterans' issues, culminating in the establishment of a cabinet post for veterans affairs.

He led the way in fighting to secure an amendment to our Constitution to protect our flag.

He brought a National Cemetery to Saratoga, New York, where he himself will be laid to rest tomorrow.

In the final years in this House, Jerry Solomon served as chairman of the Committee on Rules. That achievement speaks volumes about the man, the leader, and the legislator.

What I learned about Congressman Solomon many among us know: If he cared enough to tell someone something, they had better listen.

Mr. Speaker, Congressman Jerry Solomon has left us, but neither he nor his achievements will ever be forgotten.

EXPRESSING PROFOUND SORROW OF THE CONGRESS FOR DEATH AND INJURIES SUFFERED BY FIRST RESPONDERS IN AFTERMATH OF TERRORIST ATTACKS ON SEPTEMBER 11, 2001

The SPEAKER pro tempore (Mr. GILCHREST). The pending business is the question of suspending the rules and agreeing to the concurrent resolution, H. Con. Res. 233.

The Clerk read the title of the concurrent resolution.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Ohio (Mr. LATOURETTE) that the House suspend the rules and agree the concurrent resolution, H. Con. Res. 233, 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 405, nays 0, not voting 27, as follows:

[Roll No. 411]

YEAS—405

Abercrombie
Ackerman
Aderholt
Akin
Allen
Andrews
Armey
Baca
Bachus
Baird
Baker
Baldacci
Baldwin
Ballenger
Barcia
Barr
Barrett
Bartlett
Barton
Bass
Becerra
Bentsen
Bereuter
Berkley
Berman
Berry
Biggert
Bilirakis
Bishop
Blagojevich
Blumenauer
Blunt
Boehlert
Boehner
Bonilla
Bonior
Bono
Borski
Boswell
Boyd
Brady (PA)
Brown (FL)
Brown (OH)
Brown (SC)
Bryant
Burr
Burton
Buyer
Callahan
Calvert
Camp
Cannon
Cantor
Capito
Capps
Capuano
Cardin
Carson (IN)
Castle
Chabot
Chambliss
Clay
Clayton
Clement
Clyburn
Coble
Collins
Combest
Condit
Costello
Coyne
Cramer
Crane
Crenshaw
Crowley
Culberson
Cummings
Cunningham
Davis (CA)
Davis (FL)
Davis (IL)
Davis, Jo Ann
Davis, Tom
Deal
DeFazio
Delahunt
DeLauro
DeMint
Deutsch
Diaz-Balart
Dicks
Dingell
Doggett
Doolittle
Doyle
Dreier
Duncan
Edwards
Ehlers
Ehrlich
Emerson
Engel
English
Eshoo
Etheridge
Evans
Everett
Farr
Fattah
Ferguson
Filner
Flake
Fletcher
Foley
Forbes
Ford
Fossella
Frank
Frelinghuysen
Frost
Gallegly
Gekas
Gephardt
Gibbons
Gilchrest
Gillmor
Gilman
Gonzalez
Goode
Goodlatte
Gordon
Goss
Graham
Graves
Green (TX)
Green (WI)
Grucci
Gutierrez
Gutknecht
Hall (OH)
Hall (TX)
Hansen
Harman
Hart
Hastings (FL)
Hastings (WA)
Hayes
Hayworth
Hefley
Herger
Hill
Hilleary
Hilliard
Hinchey
Hinojosa
Hobson
Hoeffel
Hoekstra
Holden
Holt
Honda
Hooley
Horn
Hostettler
Houghton
Hoyer
Hulshof
Hunter
Hyde
Inslee
Isakson
Israel
Issa
Istook
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Jenkins
John
Johnson (CT)
Johnson (IL)
Johnson, E. B.
Johnson, Sam
Jones (NC)
Jones (OH)
Kanjorski
Kaptur
Kelly
Kennedy (MN)
Kennedy (RI)
Kerns
Kildee
Kilpatrick
Kind (WI)
King (NY)
Kingston
Kirk
Kleczka
Knollenberg
Kolbe
Kucinich
LaFalce
LaHood
Lampson
Langevin
Lantos
Largent
Larsen (WA)
Larson (CT)
Latham
LaTourette
Leach
Lee
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Linder
Lipinski
LoBiondo
Lofgren
Lucas (KY)
Lucas (OK)
Luther
Lynch
Maloney (CT)
Maloney (NY)
Manzullo
Markey
Mascara
Matheson
Matsui
McCarthy (MO)
McCarthy (NY)
McCollum
McDermott
McGovern
McInnis
McIntyre
McKeon
McKinney
McNulty
Meehan
Meek (FL)
Mica
Millender-McDonald
Miller, Dan
Miller, Gary
Miller, George
Miller, Jeff
Mink
Mollohan
Moore
Moran (KS)
Moran (VA)
Morella
Myrick
Nadler
Napolitano
Neal
Nethercutt
Ney
Northup
Norwood
Nussle
Oberstar
Obey
Olver
Ortiz
Osborne
Ose
Otter
Owens
Oxley
Pallone
Pascrell
Pastor
Paul
Payne
Pelosi
Pence
Peterson (MN)
Peterson (PA)
Petri
Phelps
Pickering
Pitts
Platts
Pombo
Pomeroy
Portman
Price (NC)
Pryce (OH)
Putnam
Quinn
Radanovich
Rahall
Ramstad
Rangel
Regula
Rehberg
Reyes
Reynolds
Rivers
Rodriguez
Roemer
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Ross
Rothman
Roukema
Roybal-Allard
Royce
Rush
Ryan (WI)
Ryun (KS)
Sabo
Sanchez
Sanders
Sandlin
Sawyer
Saxton
Schaffer
Schakowsky
Schiff
Schrock
Scott
Sensenbrenner
Serrano
Sessions
Shadegg
Shaw
Shays
Sherman
Sherwood
Shimkus
Shuster
Simmons
Simpson
Skeen
Skelton
Slaughter
Smith (MI)
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Solis
Souder
Spratt
Stark
Stearns
Stenholm
Strickland
Stump
Stupak
Sununu
Sweeney
Tancredo
Tanner
Tauscher
Tauzin
Taylor (MS)
Taylor (NC)
Terry
Thomas
Thompson (CA)
Thornberry
Thune
Thurman
Tiahrt
Tiberi
Tierney
Toomey
Towns
Traficant
Turner
Udall (CO)
Udall (NM)
Upton
Velazquez
Visclosky
Vitter
Walden
Walsh
Wamp
Waters
Watkins (OK)
Watson (CA)
Watt (NC)
Waxman
Weiner
Weldon (FL)
Weldon (PA)
Weller
Wexler
Whitfield
Wicker
Wilson
Wolf
Woolsey
Wu
Wynn
Young (AK)

NOT VOTING—27

Boucher
Brady (TX)
Carson (OK)
Conyers
Cooksey
Cox
Cubin
DeGette
DeLay
Dooley
Dunn
Ganske
Granger
Greenwood
Keller
Lowey
McCrery
McHugh
Meeks (NY)
Menendez
Murtha
Riley
Rogers (KY)
Shows
Thompson (MS)
Watts (OK)
Young (FL)

□ 1854

So (two-thirds having voted in favor thereof) the rules were suspended and the concurrent resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

PERSONAL EXPLANATION

Ms. DUNN, Mr. Speaker, on Tuesday, October 30, 2001, I was not present for rollcall votes 408 through 411 due to a family emergency. Had I been present, I would have voted ''yea'' on rollcall No. 408, ''yea'' on rollcall No. 409, ''yea'' on rollcall No. 410, and ''yea'' on rollcall No. 411.

SPECIAL ORDERS

The SPEAKER pro tempore. Under the Speaker's announced policy of January 3, 2001, and under a previous order of the House, the following Members will be recognized for 5 minutes each.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Indiana (Mr. BURTON) is recognized for 5 minutes.

(Mr. BURTON of Indiana addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

THE THREAT OF AIDS STILL WREAKS HAVOC DOMESTICALLY AND INTERNATIONALLY

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from California (Ms.

MILLENDER-MCDONALD) is recognized for 5 minutes.

Ms. MILLENDER-MCDONALD. Mr. Speaker, the world we live in is becoming more complex each and every day. The tragic and heinous events of September 11 transformed the way Americans and people in this world respond to news.

In the aftermath of recent events, our country and the world is experiencing a state of high anxiety directly related to threats of bioterrorism, and most recently, anthrax contamination. House offices were closed, and some remain closed, while anthrax contamination is eliminated. Postal offices have been shut down for periods of time, and postal workers have succumbed to anthrax inhalation and died from their exposure to this very deadly chemical agent.

Indeed, a war is being waged on numerous fronts to preserve freedom and the health of our Nation and its world partners. However, Mr. Speaker, there is another deadly vital threat that has been wreaking havoc domestically and internationally. That threat is the scourge of HIV/AIDS.

□ 1900

While our Nation and its global neighbors have undertaken a campaign to stave off the threats of terrorism poised by ideological fanatics, millions have died and millions are suffering from HIV/AIDS. Their plight is there. Yet global concerns revolve around potential terrorism. Perhaps that is because the specter of 6,000 lives lost to terrorist acts still looms large. However, the reality is that HIV/AIDS has claimed the lives of over 25 million people including an estimated 4 million children, most of whom live in Sub-Saharan Africa.

The global AIDS crisis in Africa is without question the most vexing humanitarian crisis in recent history. The statistics are shocking and alarming. Eight thousand people died from AIDS every day last year and six people died every minute. Fifty-eight million people have been infected since the virus was first recognized 20 years ago. Recent projections are that the total will exceed 100 million by 2007. These numbers are mind-boggling. As a mother and grandmother, I am struck by the fact that AIDS has orphaned over 10 million children in Africa. By 2010 there would be more than 40 million AIDS orphans. Therefore, proactive measures must be initiated.

I and many of my colleagues in a bipartisan way responded to the challenge put before us. On September 5, I introduced the Peace Corps HIV/AIDS Training Enhancement Act of 2001. This legislation provides an additional $5 million to the Peace Corps to pay for health volunteers working with HIV/AIDS treatment and prevention efforts, particularly the training of HIV/AIDS trainers. Currently, there are 7,300 Peace Corps volunteers who work in 76 countries worldwide including 25 countries in Africa; 1,431 of these Peace Corps members are health volunteers who serve in Africa.

The volunteers work in rural and urban settings in a variety of health activities, including teaching HIV/AIDS education and prevention methodologies to local people. The Peace Corps would like to increase its capacity in HIV/AIDS education and prevention activities, especially in the area of training HIV/AIDS trainers; but it cannot do so without this additional appropriation.

I believe that Peace Corps volunteers work and perform God's work. They are the vanguards of humanitarian efforts in the struggle to eradicate HIV/AIDS. The volunteers' efforts target training literate peer educators and community health workers who will be training others in the community. Their work is commendable and critical. Much of their work is targeted in Sub-Saharan Africa where 25 percent of the population may be infected. They have to garner the trust of the people in the community and then work to establish the building blocks necessary to transform the attitudes and behavior of at-risk populations, especially children and women.

Their messages are directed at people living with HIV as well as those who are not currently infected. Children are the focus because they are impressionable and vulnerable. Young African American girls must be educated because they are more likely to contract HIV and AIDS than young boys of the same age, and that goes for African kids too.

Peace Corps volunteers are the front line because reality is that new drugs are expensive and not usually available throughout Africa. Additionally, the infrastructure does not exist for monitoring the immune system of victims overcome by the disease who are undertreated. That is why we must use the human factor, Peace Corps volunteers, to stem the pandemic of HIV/AIDS.

The Peace Corps HIV/AIDS Training Enhancement Act of 2001 can be a useful tool in transforming the plight of many throughout the world. We are all members of a global village that is interdependent. Consequently, global threats in different forms such as terrorism, bioterrorism and the global pandemic of HIV/AIDS must be fought on many fronts simultaneously. We must be vigilant on all fronts.

CARING FOR THE ORPHANS OF THE TERRORIST ATTACKS

The SPEAKER pro tempore (Mr. PLATTS). Under a previous order of the House, the gentlewoman from Florida (Ms. ROS-LEHTINEN) is recognized for 5 minutes.

Ms. ROS-LEHTINEN. Mr. Speaker, on September 11 Americans witnessed carnage and harrowing images that will be imprinted forever in our memory. These acts of terror helped Americans grow stronger. But as we pull together to rebuild our Nation and work toward a heightened sense of security to restore our lives, we must not forget the thousands of children who lost a parent or a guardian in the September 11 attacks. All the money and all the services in the world could never replace the loss of their loved ones, but although money cannot heal their scars, the passage of House Con. Resolution 228 can help begin to bandage their deep wounds.

I am a proud original co-sponsor of H. Con. Res. 228, a resolution which calls for the immediate benefits for children who lost one or both parents or guardians in the multiple tragedies. This legislation, which is being spearheaded by my friend, the gentlewoman from Texas (Ms. JACKSON-LEE), will ensure the children of September 11 attacks will receive foster care, medical assistance and psychological services, all of which they so desperately need.

As co-chair of the Congressional Children's Caucus, the gentlewoman from Texas (Ms. JACKSON-LEE) and I recently held a briefing to discuss the need to prioritize Federal services and benefits for these children. Ron Houle of the American Red Cross, Dr. Bernard Arons from the Substance Abuse and Mental Health Services Administration, and Cindy Friedmutter of the Evan B. Donaldson Adoption Institute in New York were among the many speakers who informed us on their ability to deliver services to these children.

But most touching of all was the testimony of Merino Calderon and two of his children, Naomi, 4 years old and Nephtali, who is 20 months old. Their children were with us that day. And Merino, a school bus driver lost his beloved wife. His two children lost obviously their mother at the World Trade Center. Merino shared with us the difficulty of having to answer to his children every day the questions that they pose to him: ''When is mommy coming back? When is she taking us to the park again?''

He is emotionally exhausted and his financial situation is increasingly difficult. But, Mr. Speaker, Merino Calderon is one of the fortunate ones because his daughter is receiving counseling, as he is as well. But his loving church and his loving church family have many other church-goers who have not had the ability to get this assistance. Many surviving family members and particularly children of the September 11 attack have yet to receive the benefits they need.

Children who lost a parent or a guardian in this national tragedy need psychological and other services right now. So I ask my colleagues to cosponsor and work towards passage of H. Con. Res. 228 because, although we will remember September 11, it is for the children for whom we will pass this bill because we will not forget them and we will not forget the sacrifices that their parents have made for our country.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from New Jersey (Mr. PALLONE) is recognized for 5 minutes.

(Mr. PALLONE 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 Oregon (Mr. DEFAZIO) is recognized for 5 minutes.

(Mr. DEFAZIO addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

FOOD AID FOR AFGHANS

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from Georgia (Ms. MCKINNEY) is recognized for 5 minutes.

Ms. MCKINNEY. Mr. Speaker, I know the American people want to help the suffering people of Afghanistan. And I am sorry to say that we already stand condemned by Medecins Sans Frontieres for conducting nothing more than a propaganda campaign regarding our food drops.

Our brave young men and women are risking their lives to deliver this food, and how will we be judged, however, by this latest blunder?

I ask my colleagues to take a look at this object and this object. To more than just a casual observer, they might even get mistaken for the same thing. And that is what has got the U.S. military quaking in their boots. Can one imagine the horror if this object, a cluster bomb, gets mistaken for this object, a food packet? One is life and the other one is death. The squarish one is the food. The roundish one is a cluster bomb. That is what the poor starving people of Afghanistan must now contend with.

The U.S. military is dropping little notes to inform people not to pick up this one, the cluster bomb, thinking it is food because if they pick up this one, which is the wrong one, they will get blown to smithereens.

Is it not bad enough that our military is dropping cluster bombs on Afghanistan anyway? Well, it is really bad because in the war in Kosovo, then-Major General Ryan refused to allow cluster bombs to be dropped because of the civilian deaths associated with cluster bombs, especially the children. But now our Air Force Chief of Staff Ryan refuses to issue such a directive, it appears, as the U.S. comes under fire from humanitarian organizations around the world for dropping cluster bombs on the people of Afghanistan.

I have written a letter to our President asking that we please refrain from using cluster bombs. But a funny thing about cluster bombs. They have little bomblets that look like things; and so when kids see them, they think they are a toy or something.

Now, Afghanistan already has 10 million landmines, and the unexploded bomblets from the cluster bombs add to that number. So now if the food looks like this object, what will hungry children do? But if the food looks like this object and the bombs look like this object, what would any hungry person do? The military bets that they are going to try to find something to eat. And so the Pentagon is concerned that people who are hungry for food that looks like this object will confuse it with bomblets that look like this object. The Pentagon is now worried that hungry Afghan people will try to eat the bombs thinking that it is American food.

So the Pentagon has sent messages to the Afghan people. One message says, ''As you may have heard, the Partnership of Nations is dropping yellow humanitarian daily rations. Although it is unlikely, it is possible that not every bomb will explode on impact. These bombs are a yellow color and are can-shaped.''

Another Pentagon message is more to the point. It says, ''Please, please exercise caution when approaching yellow unidentified objects in areas that have been recently bombed.''

Mr. Speaker, not only do innocent Afghans have to worry about the Taliban, not only do they have to worry about landmines left over from the last war, not only do they have to worry about starving to death and the approaching winter, now they have to worry about bombs that look like food. I think I have heard it all now, Mr. Speaker.

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from the District of Columbia (Ms. NORTON) is recognized for 5 minutes.

(Ms. NORTON addressed the House. Her remarks will appear hereafter in the Extensions of Remarks.)

BIOTERRORIST ATTACKS AND ANTIBIOTICS

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Ohio (Mr. BROWN) is recognized for 5 minutes.

Mr. BROWN of Ohio. Mr. Speaker, we in Congress cannot go home to our districts and say we have taken the steps necessary to prepare for future bioterrorist attacks unless and until we confront the issue of antibiotic resistance. The links between antibiotic resistance and bioterrorism are clear. Antibiotic resistent strains of anthrax and other microbes are among the most lethal of biological weapons, and they are a reality. There are published reports of an anthrax strain engineered by Russian scientists to resist the penicillin and tetracycline classes of antibiotics. We can only assume that anthrax and other lethal agents will be engineered to resist new antibiotics like Cipro.

Antibiotic resistance is significant in other important ways. Overuse and misuse of antibiotics will render most microbes resistent to our current stockpile of drugs, potentially leaving the Nation poorly prepared in the event of biological attacks. To some extent this is a vicious cycle. Bioterrorist threats can lead to overuse of current antibiotics, which in turn render these antibiotics less effective against the lethal agents used in bioterrorism.

□ 1915

Look at Cipro, for example. Widespread use of Cipro, a broad-spectrum antibiotic, would kill bacteria that are susceptible to Cipro. The bacteria that are not killed will be those that evolve resistance to Cipro. Those Cipro resistant bacteria then flourish unchecked unless an even stronger antibiotic is available to kill them.

Many bacteria that cause severe human illness are already resistant to older antibiotics like penicillin. That is one reason the drug of choice is often one of the newer antibiotics like Cipro. If the U.S. and the rest of the world begin using Cipro indiscriminately, then Cipro, that antibiotic, will lose its effectiveness also.

To adequately prepare for a terrorist attack, State and local health departments must be equipped to rapidly identify and respond to antibiotic resistant strains of anthrax and other lethal agents. And to ensure the continued efficacy of our antibiotic stockpile, we must isolate emerging antibiotic resistant pathogens, track antibiotic overuse and misuse, and monitor the effectiveness of existing treatments over time.

Surveillance provides the data needed to prioritize the research and the development of new antibiotic treatments. Drug resistant pathogens are a growing threat to each of us as Americans. Examples of important microbes that are rapidly developing resistance to available antimicrobials include the bacteria that cause ear infections, that cause pneumonia, that cause meningitis, and skin and bone and lung and blood stream infections. Importantly, this list also includes food borne infections like salmonella.

The Nation's food supply has been identified as a potential vehicle for future bioterrorist attacks. Experts across the public health spectrum have testified to the seriousness of antibiotic resistance. Congress should respond appropriately and quickly to these warnings before the threat of what could be becomes what is.

Under last year's Public Health Threats and Emergencies Act sponsored by my colleagues, the gentleman from North Carolina (Mr. BURR) and the gentleman from Michigan (Mr. STUPAK), Congress authorized a grant program that equips State and local health departments to identify and to track antibiotic resistance. My friend, the gentleman from New York (Mr. BOEHLERT), and I are requesting that the Committee on Appropriations include at least $50 million for this grant

program in the Homeland Security supplemental appropriations bill, which this body will take up later this week.

I urge Members on both sides of the aisle to weigh in on this issue. Let the appropriators know that funding this is absolutely critical to our Nation. We must help State and local health authorities and State and local health agencies combat antibiotic resistance. Our ability to fight bioterrorism absolutely depends on it.

AIRLINE SECURITY

The SPEAKER pro tempore (Mr. PLATTS). Under the Speaker's announced policy of January 3, 2001, the gentleman from Washington (Mr. INSLEE) is recognized for 60 minutes as the designee of the minority leader.

Mr. INSLEE. Mr. Speaker, some of us have come to the House floor tonight on the subject we have been speaking on for several weeks now, which is the importance of passing not just a sham airline security bill but a real solid, responsible, certain airline security bill that will accomplish what the American people need, which is to have full confidence that their airlines are safe.

Unfortunately, Mr. Speaker, the bill that is going to be introduced tomorrow or the next day falls short in several very, very important respects. We have had a long history in the last several decades of having failures in airline security which manifested themselves on September 11. We think the U.S. House cannot miss this opportunity tomorrow or Thursday to in fact plug not just some, and not just the easy holes to plug in airline security, but the ones that are meaningful, and to, in fact, plug all the holes in the net we have in order to catch terrorist activity. And we want to talk about some of those tonight.

Let me start with one that in my view is the most glaring hole in our airline security system today, and that is the stunning fact that I learned about 3 weeks ago. When I heard this I just about fell out of my chair. I was receiving a security briefing at a major airport in the western United States and we were talking about all the recent efforts and changes to try to make sure passengers do not bring sharp objects into the passenger compartment of the airplanes. I started asking questions about the checked baggage that goes into the belly of an airplane, and I asked where the equipment was to screen the baggage that goes into the belly of an airplane to make sure nobody put a bomb on it. The people I was talking to had this kind of sheepish look on their faces and they said, well, we do not do that all the time. I thought they were sort of joking. But it turns out they were not.

What I came to find out is that in airports across this country 90 to 95 percent of all the bags that go into the belly of an airplane have zero screening for explosive devices, and I mean zero screening. So nine out of 10 bags that go in the belly of an airplane that we are flying on with our loved ones are not screened for any explosive devices. That is a sad, pathetic state of affairs that this House needs to change this week with no ifs, ands or buts.

Now, the problem, Mr. Speaker, is that although we have technology to do this, and the good news is we have technology that screens for explosive devices very thoroughly, the fact of the matter is that the bill that the majority party is proposing for this week does not have a certain requirement in it that these bags be checked by a certain date. That is sad, and that needs to change.

We believe that the U.S. House needs to pass a law that requires 100 percent of all the bags that go into the belly of an airplane be screened for an explosive device with the best technology that we have. And we have some darned good technology. We have machines today that have been in use for several years, if the airline companies will turn them on anyway, that can find explosives with a high degree of probability. We need to make sure more of those machines are purchased. We need to require those to be turned on and put them in series so we can get in our airplanes in a timely fashion without bombs being in the baggage compartments.

Tomorrow, Mr. Speaker, we will be offering amendments, the gentleman from Ohio (Mr. STRICKLAND), myself, and the gentleman from Connecticut (Mr. SHAYS), a Republican, who has been working on legislation to require that 100 percent of these bags be screened. We are very hopeful that the majority party will allow our amendment to be considered on the floor of the House. It would be a shame if politics keeps this amendment from being considered. We are very hopeful that we can have a solid bipartisan vote in this Chamber to make sure all these bags get checked.

With that, Mr. Speaker, I yield to the gentleman from Ohio (Mr. STRICKLAND), who has been a great leader in advancing this issue.

Mr. STRICKLAND. I thank the gentleman from Washington State for yielding to me.

I think it is important for people to understand why we have not been able to bring a bill to the floor thus far, and why it may be that our amendment to require that all bags be checked will not even get a vote on this floor. I think the American people sometimes do not fully understand that there are certain rules and procedures that govern what happens in this House, and those rules and procedures are dominated by the majority party. And especially in terms of the amendment that we are trying to get brought to this floor, that is determined really by the Committee on Rules.

We were just upstairs not more than 10 minutes ago asking the Committee on Rules if we could bring our amendment to the floor so that here in this Chamber, comprised of all the representatives of the people, 435 of us from across this great United States, that at least we would have an opportunity to cast a vote and to make a decision regarding this vital public safety matter.

It is, I think, true that most Americans, in the past at least, when they have gone and purchased a ticket for air travel and placed themselves and perhaps their families, their children even on an airplane were assuming that all the luggage that went into the belly of that plane had been properly screened for explosives. We now know that that just simply does not happen.

We found out many years ago, about 13 years ago, when the plane exploded over Lockerbie, Scotland, that a simple explosive device, perhaps placed in a suitcase, if it is loaded into the belly of an airplane, can literally destroy that airplane. So many lives were lost there. And the gentleman and I had an opportunity just 2 or 3 weeks ago to meet with two fathers who lost sons in that Lockerbie explosion. So this is something that is a matter of life and death.

As I just said to the Committee on Rules, what we decide on this issue may determine whether or not at some point in the future Americans will lose their lives. The American traveling public has a right to travel in conditions that are as safe as we can make them. And if we pass an airline security bill this week that omits this vital loophole, then the American public will not be as safe as they have a right to be.

I would like to share just a few words from an editorial that appeared in the Columbus Dispatch, the major newspaper in Columbus, Ohio, which is the capital of the great State of Ohio, and this editorial pointed out the fact that the Department of Transportation's Inspector General recently reported that at 7 of the Nation's 20 highest risk airports there was no scanning of checked baggage.

The editorial goes ahead to point out that some time ago $441 million were used to buy 164 of these high-tech bomb detection machines that were to be used in 50 of the most busy airports in our country. The editorial then points out that after this huge expenditure of millions and millions of dollars, and the actual purchasing of these machines, that they were not used. They were just left in warehouses gathering dust.

So what our amendment does, it has a specific time line that will require that this be done. And unless there is a legislative requirement that it be done in a reasonable period of time, a date certain, I fear that it will never happen, and that at some point in the future we will lose an airplane needlessly because we have failed to take this action.

□ 1930

Mr. INSLEE. Mr. Speaker, I think that it is a necessity of the U.S. House

of Representatives to have a date certain to do this by. It is made obvious by a couple of facts. The gentleman made reference to the Lockerbie bombing where there were hundreds of young people who were on that plane, and their families have now been working for 13 years to get the Federal Aviation Administration to move to require screening of checked baggage. Despite 13 years of advocacy with this agency, this agency has done nothing except give wish lists which they may do some day. Some day is just not good enough.

It would be a sad failure if this House passed something without some timeline when we have this kind of experience of agency failure over this long period of time.

Another example, the majority party's bill has language, and it is good rhetoric that rhetorically says these bags will be screened, I guess someday, we do not know when. But look what happened when we did similar language in 1995 when this House essentially directed the FAA to adopt regulations that would improve the screening and certification of the people who do the passenger screening. Six years later, the FAA had still not improved the certification and training of the folks who are supposed to keep weapons off airplanes.

If the FAA takes 6 years to try to figure out a regulation to try to figure how to keep people from bringing knives or box cutters on airplanes, do we think that this language in this bill is going to get them to get these machines in airports? We do not think so. I do not have confidence in that. The American people will not have confidence in that.

I yield to the gentleman.

Mr. STRICKLAND. Mr. Speaker, there are those who say we cannot do that in a timely manner. But the fact is that we can do what we choose to do. If we think that it is important enough to do, we will see that it is done. This country is a technological giant. There is practically nothing we cannot do once we set our minds to it. To imply that we cannot build machines fast enough or modify the airports in a timely manner is simply underestimating the ability of the American people.

This is a puzzling issue because it is something that nearly everyone says we need to do. Yet there is a lack of will to actually proceed to do it.

Mr. INSLEE. Mr. Speaker, reclaiming my time, I disagree a little bit with the gentleman who says we are technological giants. I have a door knob on my house that I cannot get to work; but there are others who have developed this equipment which is incredibly accurate. We do not have a war mobilization plan from the U.S. Congress. When the Japanese bombed Pearl Harbor and President Roosevelt gave his speech from this Chamber, we immediately went on a wartime industrial mobilization process. Nobody said we cannot build the Pentagon in 12 months, we cannot do that. The Pentagon was built from conception to completion in 12 months.

When they needed big bombers, they built 12,000, maybe 14,000, I would need to check the numbers, B–24 complex bombers, 4-engine bombers, because they said we are going to do it.

Now the House has to get up on its hind legs and say we are going to build 2,000 of those machines by a time certain. If we give an agency language as soon as we get around to it, I am not sure that it is going to be in this millennium.

Mr. STRICKLAND. Mr. Speaker, if the gentleman will yield, we are going to pass a bill this week, and it is going to have this fairly meaningless language in it; and then we are going to tell people that we have solved the problem. The American people are going to be led to believe that we have done everything we can to make their traveling on airplanes as safe as possible, and it simply will not be true. We need to be specific. We need to have a mandate and a time certain.

If I can share a few other thoughts from this Columbus Dispatch editorial, it points out that the security procedures commonly in place have focused nearly entirely on the contents of carry-on baggage, and the screening for checked luggage is through a series of questions designed to reveal whether people had packed their own bags and kept them in sight and planned to board the plane for which they were ticketed.

These measures were imposed after the Lockerbie explosion, and they were based on the theory that no one would board a plane that was going to blow up because the theory was a person would be highly unlikely to blow up a plane and kill themselves. But on September 11 we learned something. We learned that there are terrorists, fanatical terrorists, who not only are willing to die, but seemingly are anxious to die for what they believe in.

We can no longer use this casual method of asking have you packed your own bag and has it been in your sight. We need to have the technology that will make it possible to screen for explosives. Some of these explosives are so powerful that a portion the size of a bar of soap can do incredible damage. We cannot afford to allow this to continue as it has.

As I said to my colleague from Washington State, we are going to be debating these matters here in the House of Representatives, and there are going to be some who are going to contend that this language, almost meaningless language, is going to provide protection to the American people. If that is all we get in this bill, it is going to be a real failure, in my judgment.

Mr. INSLEE. Mr. Speaker, if the majority party does not allow a vote on this amendment, we will have spent all of this energy debating who the employees will be doing the screening, and there will be substantial debate. There is a difference between the parties largely on that issue. Democrats believe there should be Federal responsibility like border guards, FBI agents, marshals, that these ought to be Federal employees because that is the safest way to go.

The majority has an ideological hang-up, and there will be debate. To not have a debate on who will take nail clippers away from passengers, and not have a specific promise to the American people that by a date certain the bags are screened to determine that the bags are not packed with 30 pounds of C–4 high explosives, would be a criminally negligent act by this House.

We are concerned and do not think that this ideological inhibition that my friends in the majority leadership have against Federal employees should stymie our ability to make a commitment to the American people that their bags are not going to have bombs in them.

I have good friends on the Republican side of the aisle who back this provision. The gentleman from Connecticut (Mr. SHAYS) has been a leader on campaign reform issues and has supported this. We have quite a number of other Republicans who are supporting this. We believe if we have a vote on this floor, we will have good bipartisan support for this provision.

Mr. Speaker, the problem is if the majority leadership has a stranglehold on the rules and does not allow a vote, we are not going to have this bipartisan solution adopted. We urge all Members to see that the majority party allows this to the floor for a vote. Then we can have the other vote about who these parties should be.

Mr. Speaker, I yield to the gentleman.

Mr. STRICKLAND. Mr. Speaker, I was in Athens, Ohio, this past weekend; and I had a discussion with a young man who told me he had planned a trip to Florida for himself, his wife and children; and he said I am not flying. I have gone to the airlines and asked for my ticket money back. They will not return my ticket money, but they have told him that he can use his ticket during the next 12 months. He said, I hope after a few months I will feel safe enough to use those tickets.

We want the airlines to survive and prosper, and we hear talk encouraging the American people to go back to normal living and carry on their lives as they did prior to September 11, to buy goods, to enjoy themselves in social settings and the like. We also want them to fly.

Congress gave the airline industry a $15 billion bailout less than a month ago because we were afraid the airline industry would not survive in this country without that kind of governmental assistance. I opposed that bill at the time; but many, many of my friends in this Chamber thought it was the right thing to do and voted for it.

My feeling is the best way to get airlines healthy in an economic sense is

to encourage people to fly. How can we encourage people to fly if flying is not as safe as it ought to be or could be? I want to be able to say to that young man in Athens, Ohio, and to all of my constituents, we have taken action in the House of Representatives that will keep you as safe as it is possible for you to be when you choose to use air travel.

Once we do that, then I think the American people will return to the airports and they will take their vacations and business trips.

I talked to another individual today who was in Florida, and he was coming back to Washington and I asked him how he was getting back here and he said, I am driving. Ordinarily this individual would fly, but he still does not feel comfortable in flying. We need to take this action. If we do, I believe the American people will return to life as they normally lived it prior to September 11.

Mr. INSLEE. Mr. Speaker, I appreciate the comment about confidence in the American people. The reason this has not happened to date is some folks have not wanted to make the investment to buy these machines or to take the trouble to install them. I cannot think of a more penny-wise and pound-foolish approach when it comes to safety. If we lose another plane, nobody is going to be getting on these airplanes. We are already down significantly.

As a person who represents thousands of Boeing workers in the Seattle area, we have had 12,000 people laid off this year because of the drop of people getting on airplanes. The U.S. economy cannot withstand the devastation that will occur if we lose another airplane. As far as the expenses, it will cost about $2 billion to install these measures. If we put it in context, it is $2 per ticket for 1 year. I am convinced that people think it is worth $2 a ticket to make sure there is not a bomb in the airplane. That is for 1 year. It is a one-time investment.

Our proposal has suggested that we simply appropriate funds from the general fund to make this investment. The other Chamber has made a proposal with a surcharge of $2 per ticket to assist in security. We think that it is just as well to take it out of the general fund. However it is financed, people who get on airplanes, if we poll them, do passengers want this $2 spent by somebody, they are going to say ''yes'' even if it is them. It is worth $2 to get over this known threat.

I am hopeful that the majority party will hear our request to allow a bipartisan consensus to develop; but I think we need to describe why this has not happened to date. The reason it has not happened to date is that there has been this ideological resistance to the idea of having the Federal Government act to take care of the citizens it is supposed to protect.

The first duty of government is to protect the physical security and safety of its citizens. That is the first duty of government. Frankly, government has not done as good a job as it should in this regard. Our government has engaged in an experiment in airline safety in the last 10 years. That experiment involved letting out to the low bidder the contracting out of the employees to screen passengers before they get on airplanes.

□ 1945

We had that experiment and it was a grand failure on September 11, because we had multiple known failures of that system. We had these companies hiring ex-felons. We had these companies hiring people that had been fired at other places. We would have companies that did not screen their own employees for who their identity is. We have had test after test after test where we had these employees that were so poorly paid and so poorly trained and totally noncertified that at Dulles International Airport when they tried to get 20 weapons through out of 20, they got seven weapons through this alleged screening-porous system. So that was an experiment that failed.

We should not be having this theoretical argument because that experiment failed. Having private contractors with government supervision is a known recipe for disaster. We need to have a federalized system of Federal employees who the Federal Government certifies, trains and employs to give passengers what they deserve which is a high level of confidence. To me, I have to tell you, if you ask people who is more important to your personal security, whose eyes and ears and judgment is more important to your personal security, a border guard or a screener at an airport check-in counter, I have got to believe the check-in counter is at least and I think more important to our physical personal safety. We make sure that the people who do the border guards are Federal employees so we can make sure that they hew to the standards that we set. But we do not do that for the people who your personal safety is in their hands when you get onto an airplane.

I heard a flight attendant sort of ask a good question. She says Members of Congress have Federal employees protect their personal security, our police force here in the U.S. Capitol. We insist that we have government employees protect our personal security. But for the flying public, we let the lowest-priced, minimum wage, untrained, uncertified ex-felon get that job as long as a contractor can swing some low-ball deal. That is not the way we can do business anymore. So we are going to insist on having Federal employees do this work.

Mr. STRICKLAND. I would like to share an incident that happened with me at Dulles International Airport just within the last 2 weeks. I think it illustrates the fact that our current procedures are woefully inadequate and even dangerous. I went to the airport early one morning, I had a 7:20 flight so I arrived well before that time. I asked to have my bag checked. The person there at the ticket counter gave me my seat assignment and handed the ticket back to me. Then she said, Sir, you've been selected at random to have your bags further screened. They were screening them for possible explosive devices. Then she said to me, I would like for you to take your bag, walk down the corridor here until you come to the crossover, turn to the left, go to the next major corridor, turn to the left and you will see the machine where they are doing the screening over at your right.

I said to her, With all due respect to whoever is responsible for this process, what makes you think that if I've got an explosive device in that bag that I am going to voluntarily, without being escorted or without being observed, carry it over there and ask someone to screen it for explosives? It just does not make sense.

The fact is that if I had had an explosive device in that bag, I could have just simply left the airport and come back later in the day at a time when it was highly unlikely that I would be selected a second time at random to have that bag checked. But I think it points out a larger problem. I have been told that at Dulles, for example, 80 percent of the people who provide the screening are low-paid individuals with minimal training and some 80 percent are noncitizens. It is difficult to do adequate background checks and the like when you have those circumstances prevail.

I would like to share something that was written in the Dallas Morning News just a few days ago regarding this matter. I quote from this Dallas Morning News story:

> We normally favor private sector responses, but it was troubling to hear from the Justice Department last week that a major handler of security in the U.S. airports had hired screeners who had criminal backgrounds and drug problems and who had lied about their histories. That record does not bode well for a dual system of private employees and Federal standards. It's better to think of airline screeners as important as border guards or custom agents, all of whom work for the government. There is a time for ideological arguments, but there is also a time when legislators need to compromise. We have reached that moment. The Nation needs better airport security and the House should not stand in its way.

That, I think, is a very powerful statement from the Dallas newspaper, indicating that we need to move to have a system of screeners and employees that are answerable to Uncle Sam. My friend from Washington State said that we would not tolerate private employees guarding this wonderful Capitol building or providing security for those of us who are Members of the House of Representatives or the Senate of the United States. We want professional law enforcement, public law enforcement officials doing that. There should be no less concern for the traveling American public. They also deserve to have security personnel who

are answerable to Uncle Sam, who are sworn, who are well-trained, who are dedicated to the public protection. Anything less than that will continue to put the traveling public at risk.

Mr. INSLEE. I appreciate that. I think you have to ask why there is such resistance to this idea. It is actually surprising to me. You have to ask, do the folks in the majority party who refuse to accept this idea, is it because they distrust the Capitol Police because they are employees of Uncle Sam? Is it because they distrust our border guards because they are employees of Uncle Sam rather than working for a private contractor? Do they distrust firefighters because they are governmental employees rather than working for private enterprise? I think the answer is no. My friends in the majority party would say, No, we trust firefighters. We trust our border guards. We trust our FBI agents. We trust our Capitol Police who work for Uncle Sam. It is not a lack of trust. And if you ask them what is it, then, they would say, I believe, in all sincerity, we just don't like government doing things. I think that is the bottom line. There is an ideological inhibition of some of our friends across the aisle who have refused to accept the proposition that there are times when Uncle Sam has to come to the aid of its citizens. And when you are under a threat from terrorists who are running airplanes into large buildings and somebody who is putting anthrax in our mail, it is time to accept the proposition that Uncle Sam needs to come to the physical assistance of its citizens. We hope that enough of our friends across the aisle forget the ideological debating points. This is not a Harvard debate. This is an issue of life and death, whether we are going to save people or not. And so we hope that this practical, common-sense attitude allows us to develop a bipartisan consensus here and for a moment we can put away these ideological, theoretical things, arguments we used to have in college at midnight. This is real life.

Mr. STRICKLAND. I have heard some of the leaders on the other side of the aisle say that they did not want the federalization of these employees because they would join unions. But I think it is appropriate for us to recall that the young firefighters who gave their lives in the trade towers in New York City were, by and large, members of a union, that the police officers that sacrificed their lives in service on that terrible day of September 11, they were members of unions. I do not think we should fight this battle on the basis of whether or not the employees would be able to join a union or not join a union. What we want are people who are responsible to the government, to the Federal Government, to provide the kind of protection that the American people need and deserve. I doubt very seriously that if the firemen and the police officers in New York City were paid little more than minimum wage, were private contractors, that they would have been willing to do what those brave men and women did on September 11 in New York City. We do not privatize our FBI, we do not privatize our customs agents, we do not privatize our border patrol folks. We do not privatize the Capitol Police that protect this wonderful Capitol and provide protections for Members of the U.S. Senate and Members of the United States House of Representatives. They are not privatized. Why should the people who provide the protection for our citizens who go to airports and get on airplanes have to suffer under the protection of lowly paid individuals who are poorly trained and who cannot, even though they try, under those circumstances, they cannot provide the depth and the quality of protection that the traveling public deserves?

Mr. INSLEE. I think that is a very good point, that the people who are working at these gates now, we are not blaming them. They are working hard. But they are given maybe minimum wage. They are given maybe a few hours of instruction. As a result of their poor treatment, some of these airports have a 300 to 400 percent turnover rate. And as long as you are having a low bid situation, you can expect those conditions to prevail.

Now, I think we should talk a little bit about why this system has failed. Why has this experiment of having private contractors provide this service failed? We had FAA supervision of them. This is what our friends across the aisle are proposing. Private contractors hire the people, the FAA has supervision. That is exactly what we had in the last 10 years. The FAA has drawn up these rules for these contractors to follow. So you have to ask yourself, why has this been such a miserable failure? The sad fact is, because the contractors and the airlines they serve have been successful with their armies of lobbyists who do a good job who have come up here and have blocked, in Congress and in the FAA, any rules or statutes to significantly increase the professionalism of this workforce, because it would cost another dollar. And they have been successful in strangling any progress in our political system to do this. It is clear to me that until that stranglehold is broken, we are not going to get to a professional law enforcement oriented screening system in this country. That is why it is important to us to move in this direction.

I would like to now yield if I could to my good friend the gentlewoman from Ohio (Mrs. JONES), the great prosecutor who knows something about law enforcement.

Mrs. JONES of Ohio. I would like to thank my colleague the gentleman from Washington (Mr. INSLEE), the gentleman from Ohio (Mr. STRICKLAND), and I see seated here with me also the gentlewoman from Ohio (Ms. KAPTUR).

Mr. Speaker, I rise in support of the federalization of airline security personnel. Yesterday in the City of Cleveland, I joined with many other unions who represent the workers at the airport in support of airline security and a safety net for the workers of the airlines. I have a personal interest in this in light of the fact that my father, Andrew Tubbs, worked for United Airlines some 38 years as a sky cap. My sister, Mattie Still, worked for United Airlines some 30 years as a CTR operator. My brother-in-law, Robert Still, worked as a sky cap in California for some 30 years. And currently my niece, Lorri Still, is a flight attendant with United Airlines. So the workers of the airlines industry are very, very important and personal to me.

Yesterday, in the City of Cleveland we stood and said to the Congress, hurry up. Time is a-wasting. We need to enact legislation that will federalize the airline security personnel. We need to elevate the position of airline security to the level of those of law enforcement, to the firefighters, to the Cleveland police officers, police officers across this country, to the Federal marshals, to the Capitol Hill police. That way they will get the type of training and professionalism that they need in the job.

I want to say to the American public, get back on the airplanes like we are required to do. I want to say, have trust in what happens. But until we federalize airline security, that in fact is not going to happen.

□ 2000

I heard others say that they are worried about people joining unions. I wish my father had had a union. He used to tell me stories about the skycaps: no unions, no dollars for health care, no dollars for sick leave. And what they used to do, these guys used to pass the hat, so when they got tips on any evening, they used to divide those tips up among the folks that were there and put money in for those who were not there, so that those guys still had tips, as though they were working every day.

Why should workers have to do that? The company should provide that type of security. Why should we think that this job is any less honorable than any other job?

As I go back through the airport every weekend into the city of Cleveland, those skycaps walk up and say, ''Stephanie, are you trying to get money for me?'' The people working at the desk say, ''Stephanie, are you trying to get money for us? Are you trying to secure and make sure the jobs we do on a daily basis are secure?''

I have friends, and I think about these guys. My father is 81 years old, and I think about all the guys that used to work with him who are still around and they say, ''What a great group of men we had.'' So if skycaps right now make $2.88 an hour, imagine what they made back in the 1940s per hour to work and do the job.

So I am just standing here with my colleagues, the gentleman from Washington (Mr. INSLEE), the gentlewoman

from Ohio (Ms. KAPTUR), the gentleman from Ohio (Mr. STRICKLAND), and all of us who believe in the importance of airline security, that it is time out to the Congress. Step up to the plate. Say to the American public that we are going to secure you. We are going to make sure when you get on that plane, things are safe. Maybe even in the legislation that we pass, we will require that every piece of luggage that gets on a plane has been screened in some fashion.

But if we can elevate the position of airline security to an honorable position, a professional position, all of us will be better off. I am so happy to join the gentleman from Washington (Mr. INSLEE) and all of the Members this evening as we talk about this important issue that is important to the security and safety of all of us here in the United States and those traveling through the United States.

Mr. INSLEE. I hope the gentlewoman will report to your former skycap father that he has got something to be proud about, sending you to us.

Mrs. JONES of Ohio. I called him up and said, ''Dad, turn it on. I am talking about you tonight.''

Mr. INSLEE. I thank the gentlewoman very much.

I want to yield to the gentleman from Ohio (Mr. STRICKLAND) for some closing comments. I intend to yield to the gentlewoman from Ohio (Ms. KAPTUR) to finish the hour.

Mr. STRICKLAND. Mr. Speaker, I thank the gentleman for yielding.

I would just like to close my remarks this evening by once again referring to the editorial in the Columbus Dispatch of October 16. The editorial ends with this question: Will there be no end to the revelations of how poorly the Federal Government, airport security workers and airlines have handled the job of protecting passengers? How many other rules are not being enforced, and how much evidence do House Republicans need to convince them that only a top-notch security force, paid by the taxpayers and not hired by the low bid contractors, will make the airways as safe as possible? A bill passed by the Senate and pending in the House would federalize airport security. The House should stop playing politics with this essential legislation and pass it.

I would just like to point out in closing that in the Senate, they voted 100 to zero to pass this vital legislation. We need to bring it to this floor, and we need to pass it this week. If we do not, the American people should hold us accountable.

Mr. INSLEE. Mr. Speaker, I thank the gentleman.

I would like to yield to a person who is always a voice for common sense, the gentlewoman from Ohio (Ms. KAPTUR).

Ms. KAPTUR. Mr. Speaker, I want to thank the gentleman from Washington (Mr. INSLEE) and the gentleman from Ohio (Mr. STRICKLAND) for bringing up this very important subject at a time when the American people are expecting to hear from us, their representatives, and also our beloved colleague, the gentlewoman from Cleveland, Ohio (Mrs. JONES), whose family obviously has enormous experience in this area, merely to say thank you to all of you for highlighting this important issue to the American public, the issue of safety in the airline industry and how important it is and what common sense it makes to have a Federal position at our various airports around the country, Federal positions, Federal responsibilities, Federal training and a program of instruction and of career advancement, so we can get the very best type of training and trained individuals to serve in these critical positions now and into the future.

It would be so very easy for us to merely take the Senate bill and to pass it here; yet it has been held in abeyance now for several weeks. So there is not a commitment by the leadership of this institution to federalize these security positions.

All of us flew back here over the last 2 days. We know the people out there at the airports are doing the very best that they can. But, honestly, we need to have the same kind of professionalism that we have in our security services around this country at different levels.

I just wanted to thank these gentlemen for telling the American people that it is high time we took up the Senate bill and passed it here.

I know that the gentleman has time remaining, and I want to give him a chance to close.

Mr. INSLEE. Mr. Speaker, just to make a closing comment, then I am going to yield to the Chair so the Chair can yield back to the gentlewoman for another subject. I wanted to thank the Members who have joined me this evening. This is the crunch time for the U.S. House. It has a duty. I certainly hope that we do our duty, which is to set a time-line to get every bag checked for explosive devices, that we have a professional force to do it. Heaven help us if we do not discharge that duty. I hope bipartisanship will actually blossom this week to get this job done.

Mr. Speaker, I yield the balance of my time to the Chair.

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 title:

H.R. 2330. An act making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2002, and for other purposes.

The message also announced that the Senate insists upon its amendment to the bill (H.R. 2330) ''An Act making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2002, and for other purposes,'' requests a conference with the House on the disagreeing votes of the two Houses thereon, and appoints Mr. KOHL, Mr. HARKIN, Mr. DORGAN, Mrs. FEINSTEIN, Mr. DURBIN, Mr. JOHNSON, Mrs. MURRAY, Mr. BYRD, Mr. COCHRAN, Mr. SPECTER, Mr. BOND, Mr. MCCONNELL, Mr. BURNS, Mr. CRAIG, and Mr. STEVENS, to be the conferees on the part of the Senate.

EXPLAINING THE CONTEXT FOR AMERICA'S CONFLICT

The SPEAKER pro tempore (Mr. OSBORNE). Under the Speaker's announced policy of January 3, 2001, the gentlewoman from Ohio (Ms. KAPTUR) is recognized for 15 minutes as a further designee of the minority leader.

Ms. KAPTUR. Mr. Speaker, as one Member, I feel a particular obligation at this time in our country's history to help provide information and insight to the American people, and indeed to the people around the world, who are looking to us for leadership and for an explanation of enduring freedom, the roots of the engagement in which we now find ourselves involved with a growing coalition around the world. From time to time I will be coming to the floor, as I did last week and now again, to talk about some of the events in past years that have created the context for the conflict in which we as a Nation have now been placed in dead center.

Last week we talked a bit about the economics of the Middle East and America's over-reliance on imported oil and the fact that each of the economies of the larger region in which this conflict is occurring make money primarily from oil, with Saudi Arabia being the largest supplier of petroleum to the United States.

In Toledo today, where I just flew from, gas prices are down to 99 cents to $1.01 a gallon. Do not tell me there is no relationship between the desire of the oil-producing countries to have America win this battle and therefore to manipulate a bit on the spot market and the price of petroleum. I am sure Americans in the short term think that is probably a good thing, but in the long run what it does is it connects us to a very unstable part of the world.

Indeed, 52 percent of the petroleum that we consume is imported from Saudi Arabia, from Nigeria, from Venezuela, from Mexico. America now consumes three times more in imported petroleum than she did 20 years ago. Oil and our inability to make ourselves energy self-sufficient here at home, simply because we have not had the will, is our major strategic vulnerability; and again we are faced with major unrest in the Middle East, this time some of that being brought to our own shores.

I wanted to talk a bit tonight about a wonderful book that I read 15 years

ago and I have been rereading over the last few days called ''Sacred Rage,'' by a very well known journalist in our country, Robin Wright, who is both courageous and I think has shades of genius. The subheading of this book is ''The Wrath of Militant Islam.''

I just finished the chapter on Kuwait. Last night I was reading about Lebanon. I cannot go into the entire book this evening, but I will reference one of the beginning chapters that deals with Iran and the turning point as she, the author, would view it in the Middle East back in March 1982 when over 300, nearly 400 mullahs, religious leaders from that part of the world, convened at a conference in Tehran in the Revolutionary Nation of Iran at that point, and Iran was turning from a monarchy to a theocracy, and the men that came together at that time, and I will quote from the book, because it is very insightful and it bears on what is happening today, agreed to several common goals.

They agreed, first, that religion should not be separated from politics. This is a very foreign thought to people of the United States in this democratic Republic.

Second, they agreed that the only way to achieve true independence was to return to their Islamic roots.

Third, they agreed there should be no reliance on superpowers or other outsiders in their region, and the region should be rid of them.

Fourth, they recommended that the Shia, which is one sect of Islam, should be more active in getting rid of foreign powers.

Now, the Persian Gulf War a few years after that, of course, engaged the United States in trying to hold the border of Kuwait as Iraq attempted to move into that country. After that particular war, the Persian Gulf War, which was largely fought for oil, in my opinion, and the preservation of those oil supply lines through the Persian Gulf to the United States, I do not think that was a moral goal, but it was a goal that this Congress voted for and the American people supported, but after that the American people kind of forgot. It was over. Sure, we deal with the veterans in our districts and the people that served over there, but we became more and more hooked through the decade of the 1990s on imported fuel.

Not everyone has ignored this unfortunate development; and today, or actually yesterday, a brilliant writer, Rob Nixon, who resides in Madison, Wisconsin, a professor at the University of Wisconsin, wrote an editorial entitled ''A Dangerous Appetite for Oil,'' and I am only going to quote a couple sentences of it. I will enter it into the RECORD this evening.

He advises the most decisive war we can wage on behalf of national security and America's global image is the war against our own oil gluttony. He talks about the fact that for nearly a century, oil has been responsible for more of America's international entanglements and anxieties than any other industry. Oil continues to be a major source of America's strategic vulnerability and of its reputation as a bully in the Islamic world and beyond. Frankly, America made friends and supported regimes that could continue the oil lifeline to this country, and part of the ''Sacred Rage'' relates to the exclusionary manner in which the governments of those nations dealt with their own populations and the rather maldistribution of wealth that occurred.

Now, that is not America's fault; but we should be focused on those forces that create some of the rage that is directed against us and those forces that we contain here at home we should be about doing. One of those forces is to make ourselves energy self-sufficient here at home. That is what Rob Nixon writes about.

He talks about outside the West, the development of oil resources has repeatedly impeded democracy and social stability. The oil extraction industry typically concentrates wealth and power and provides many incentives for corruption and iron-fisted rule. In most oil exporting countries, the gap between rich and poor widens over time; and from the perspective of local people beneath whose land the oil lies, the partnership between oil transnationals and repressive regimes has been ruinous, destroying subsistence cultures while offering little in return. In fact, he quotes then the Nigerian writer, Ken Saro-Wiwa, who was hanged in 1995 for leading protests against such destruction and dubbed that process ''genocide by environmental means.''

Mr. Nixon writes, ''Oil and related extractive industries have arguably done more to tarnish America's image abroad than any other commercial pursuit. By scaling back our reliance on foreign oil, we could reduce a major cause of anti-American feeling while simultaneously decreasing our vulnerability to oil embargoes and price spikes,'' and I might add the manipulation of the market which is occurring inside our borders today.

□ 2015

But we will never be able to drill our way out of this. In fact, even if we were to drill in the Arctic Wildlife Refuge, we would get about 140 days worth of supply for this country. And he, like many others across this country, talks about encouraging more quickly advances in developing wind and wave power, biomass research, which is something I so strongly support, particularly with the development of ethanol and biodiesel so I can buy it and you can buy it; transport fuels based on renewable oilseed crops, and photovoltaic modules that can convert, even diffuse, light into electricity, such as is being done by Solar Cells, a new company in my district.

We can do this. We can do this in the United States. We just have not had the will to do it. As far as having oil as our chief proxy of our foreign policy in the Middle East, what a dangerous dependence. What a dangerous dependence this has proven to be for our people.

Robin Wright, in her book Sacred Rage, was given many, many commendations by well-known Americans, one of them Roger Mudd from NBC News who said, ''If ever there was the right book on the right subject for the right readers at the right time, Sacred Rage is it. The Kansas City Star wrote, when the book was published, ''Robin Wright manages against all odds to get a fix on a phenomenon that is complex, elusive, and kaleidoscopic. Moreover, her style of writing is so vivid that the book reads like a novel.'' I know that those who are listening can also get this at local libraries.

Mr. Speaker, if one looks at page 69, one will see a poster from the Party of God, which is one of the groups operating, in this case in Lebanon at that time, and it shows a powerful image of how those who were engaged in this particular sect felt about the West. It is important for Americans to understand who is actually trying to exert this negative force against us and to understand why, because once the why is understood, we can begin to move the world forward.

Today in The New York Times, there was an editorial by Thomas Friedman, which I will also enter into the RECORD, called Drilling for Tolerance. And again, he talks about why there is such instability in that part of the world, the role of oil in shaping our foreign policy to too great an extent and, again, he proves the point that trade has not brought freedom. He talks about how little many who should have known here in the United States understand about the internal politics of Saudi Arabia, and, in fact, some of the very schools that are educating youth to hate us. He talks about all public schools, the religion classes in Saudi Arabia, students being required to learn the following, and it states, ''It is compulsory for the Muslims to be loyal to each other and to consider the infidels their enemy.'' That is, anyone who is a non-Muslim is an infidel, someone who is an enemy. Imagine this being taught to 10-years-olds, 12-year-olds. He goes on to talk about how it is time to tell the truth. He says he was always for getting rid of oil imports before September 11, but now even more. He says, Why should we continue to purchase oil from countries like Saudi Arabia when they are using the very proceeds to buy textbooks to teach this kind of wrath to their youth?

So I just this evening very much want to urge the American people to have courage in these moments. The depth of this democracy of our great Republic will weather us again. We have educated all of our people. We believe in helping both men and women move forward in our country. We believe very much in free enterprise. We

are not a monarchy. We believe in helping to distribute the resources of this land to all who work hard, and for those who are unfortunate and cannot, we try to take care of them as well. Those strengths, along with our military and with the great patriotism we have, will carry us through.

[From the Foreign Affairs, Oct. 30, 2001]

DRILLING FOR TOLERANCE

(By Thomas L. Friedman)

In April 1988 Saudi Arabia asked the U.S. to withdraw its newly appointed ambassador, Hume Horan, after only six months. News reports said King Fahd just didn't like the U.S. envoy. What the Saudis didn't like about him, though was that he was the best Arabic speaker in the State Department, and had used his language skills to engage all kinds of Saudis, including the kingdom's conservative religious leaders who were critical of the ruling family. The Saudis didn't want someone so adroit at penetrating their society, so—of course—we withdrew Mr. Horan.

Ever since then we've been sending non-Arabic-speaking ambassadors to Riyadh—mostly presidential cronies who knew exactly how to penetrate the White House but didn't have a clue how to penetrate Saudi Arabia. Yes sir, we got the message: As long as the Saudis kept the oil flowing, what they taught in their schools and mosques was not our business. And what we didn't know wouldn't hurt us.

Well, on Sept. 11 we learned just how wrong that view was. What we didn't know hurt us very badly. On Sept. 11 we learned all the things about Saudi Arabia that we didn't know: that Saudi Arabia was the primary funder of the Taliban, that 15 of the hijackers were disgruntled young Saudis and that Saudi Arabia was allowing fund-raising for Osama bin Laden—as long as he didn't use the money to attack the Saudi regime.

And most of all, we've learned about Saudi schools. As this newspaper recently reported from Riyadh, the 10th-grade textbook for one of the five required religion classes taught in all Saudi public schools states: ''It is compulsory for the Muslims to be loyal to each other and to consider the infidels their enemy.'' This hostile view of non-Muslims, which is particularly pronounced in the strict Saudi Wahhabi brand of Islam, is reinforced through Saudi sermons, TV shows and the Internet.

There is something wrong with this picture: Since Sept. 11, the president of the United States has given several speeches about how Islam is a tolerant religion, with no core hostility to the West. But the leader of Saudi Arabia, the keeper of the Muslim Holy places, hasn't given one.

The truth is, there are at least two sides to Saudi Arabia, but we've pretended that there's only one. There is the wealthy Saudi ruling family and upper middle classes, who send their kids to America to be educated and live Western-style lives abroad and behind the veil at home. And there is an Islamist element incubating religious hostility toward America and the West, particularly among disaffected, unemployed Saudi youth.

It is said that truth is the first victim of war. Not this war. In the war of Sept. 11, we've been the first victims of our own inability to tell the truth—to ourselves and to others. It's time now to tell the truth. And the truth is that with the weapons of mass destruction that are now easily available, how governments shape the consciousness, mentality and imagination of their young people is no longer a private matter.

We now have two choices: First, we can decide that the Saudi ruling family really is tolerant, strong and wants to be part of the solution, and thus we can urge its members to educate their children differently and ensure that fund-raising in their society doesn't go to people who want to destroy ours. If so, I don't expect the Saudis to teach their kids to love America or embrace non-Muslim religions.

But if countries want good relations with us, then they have to know that whatever religious vision they teach in their public schools we expect them to teach the ''peaceful'' realization of that vision. All U.S. ambassadors need to make that part of their brief. Because if tolerance is not made universal, then coexistence is impossible. But such simple tolerance of other faiths is precisely what Saudi Arabia has not been teaching.

If the Saudis cannot or will not do that, then we must conclude that the Saudi ruling family is not really on our side, and we should move quickly to lessen our dependence upon it. I was for radical energy conservation, getting rid of gas-guzzlers and reducing oil imports before Sept. 11—but I feel even more strongly about it now.

''Either we get rid of our minivans or Saudi Arabia gets rid of its text books,'' says Michael Mandelbaum, the Johns Hopkins foreign policy specialist. ''But one thing we know for sure—it's dangerous to go on assuming that the two can coexist.''

[From the New York Times, Oct. 29, 2001]

A DANGEROUS APPETITE FOR OIL

(By Rob Nixon)

ADISON, Wis.—For 70 years, oil has been responsible for more of America's international entanglements and anxieties than any other industry. Oil continues to be a major source both of America's strategic vulnerability and of its reputation as a bully, in the Islamic world and beyond.

President Bush recently urged America to reduce its reliance on foreign oil. We can take his argument further: by scaling back our dependence on imported oil, we cannot only strengthen national security but also enhance America's international image in terms of human rights and environmentalism.

Importing oil costs the United States over $250 billion a year, if one includes federal subsidies and the health and environmental impact of air pollution. America spends $56 billion on the oil itself and another $25 billion on the military defense of oil-exporting Middle Eastern countries. There are additional costs in terms of America's international reputation and moral credibility: our appetite for foreign fossil fuels has created a long history of unsavory marriages of convenience with petrodespots, generalissimos and formenters of terrorism.

The United States currently finds itself in a coalition with Russia, Pakistan, Saudi Arabia and the Northern Alliance. Their human rights records range from bad to heinous. This is a conjuncture familiar to oil companies. From the Persian Gulf states to Indonesia, Turkmenistan, Kazakhstan, Colombia, Angola and Nigeria, they have cozied up to dubious, often brutal regimes that allow corporations to operate with few environmental or human rights constraints.

Outside the West, the development of oil resources has repeatedly impeded democracy and social stability. The oil-extraction industry typically concentrates wealth and power and provides many incentives for corruption and iron-fisted rule. In most oil-exporting countries the gap between rich and poor widens over time. From the perspective of local people beneath whose land the oil lies—Bedouins in the Middle East, the Huaorani in Ecuador, Nigeria's Ijaw and Ogoni, the Acehnese of Indonesia—the partnership between oil transnationals and repressive regimes has been ruinous, destroying subsistence cultures while offering little in return. The Nigerian writer Ken Saro-Wiwa, hanged in 1995 for leading protests against such destruction, dubbed the process ''genocide by environmental means.''

Oil and related extractive industries have arguably done more to tarnish America's image abroad than any other commercial pursuit. By scaling back our reliance on foreign oil we could reduce a major cause of anti-American feeling while simultaneously decreasing our vulnerability to oil embargoes and price spikes.

Long before the Sept. 11 attacks, President Bush adopted the slogan, ''National security depends on energy security.'' How can America best come closer to energy self-sufficiency? To date, the Bush administration has changed our relationship to fossil fuels primarily by deregulating and decentralizing controls, while advocating increased drilling. Interior Secretary Gale Norton supports opening up many wilderness study areas, national monuments and roadless national forests for oil and gas leases.

But we will never be able to drill our way out of even our short-term energy problems, much less our long-term ones. America consumes 25 percent of the world's oil while possessing less than 4 percent of global oil reserves. Even opening the Arctic National Wildlife Refuge to drilling would provide a mere 140 days' worth of fuel. Such modest new supplies would take an estimated seven years to reach the consumer and would be more costly than imported oil.

We have to be more inventive about easing our reliance on all oil, foreign and domestic. A good start would be to reverse the administration's rollbacks in financing research into fuel efficiency and renewable, clean energy sources. We need to build on the encouraging advances in developing wind and wave power, biomass research, transport fuels based on renewable oilseed crops, and photovoltaic modules that can convert even diffuse light into electricity. Some of the most promising progress has been in energy efficiency: household appliances that require half the energy they did a decade ago; cars that can get 70 miles per gallon.

Changing public attitudes is going to be an even steeper challenge. Yet is it too much to hope that the S.U.V. will come to be viewed as an unpatriotic relic of the 90's, when America's dependence on foreign oil spiked by over 40 percent? Is it unreasonable to believe that with commitments from Detroit and government, hybrid cars could become not just more sophisticated but sexier, narrowing the gap between fashion and conscience while saving us money at the pump? Could hybrids and fuel-efficient vehicles emerge as the cars of choice for a more patriotic and worldly America?

Redesigning hybrids is one thing; the business of remodeling American consumer desire is an undertaking altogether more ambitious. But we do have precedents: remember the beloved Oldsmobile 88's and Ford LTD's that lost their appeal after the 1973 Arab oil embargo? With a combination of pocketbook incentives, government stimulus and industry inventiveness, perhaps we could tart uncoupling America's passion for the automobile from our dangerous and doomed appetite for oil. The most decisive war we can wage on behalf of national security and America's global image is the war against our own oil gluttony.

AIRLINE AND AIRPORT SECURITY: WHERE DO WE GO FROM HERE?

The SPEAKER pro tempore. Under the Speaker's announced policy of January 3, 2001, the gentleman from Arizona (Mr. SHADEGG) is recognized for 60 minutes as the designee of the majority leader.

Mr. SHADEGG. Mr. Speaker, I want to talk tonight about an issue that was discussed in the last hour and will be discussed in this country and in this Chamber tomorrow and the day after. Indeed, it is a topic that all Americans have been focused on if they are watching the great debate here in this city. That topic is a critical one for this country; it is airline and airport security.

This country's economy depends on our national air system, on our air travel system, on the security of people who decide to take a flight, whether it is for recreation or business, from their home to some other location to conduct business or to go on a vacation.

We heard a discussion in the last hour about the bill that will be before us, and I think it is important for all Americans to understand the issues presented by this legislation. It is vitally important that we make America's airports and America's airlines and America's air travel system absolutely safe. However, it is also important in doing that that we have an informed debate, a debate about what needs to occur and a debate about what is wrong with the current system, and a debate about what the alternatives are for the future.

Unfortunately, a lot of the debate that we have had and that we heard in the last hour focused on the past and not accurately on the future or the issue that is presented for the future. We heard a lot of discussion in the last hour about the flaws in the current system and about what is wrong with the current system.

Mr. Speaker, I want to make it absolutely clear that no one is proposing that the current system be retained. No one is proposing that. I want to make it also clear that while a lot of the discussion in the last hour focused on this issue of a Republican versus a Democrat solution of philosophy or ideology, those really are not the issues. The issue which all Americans need to understand as the issue is the safety of our airlines, the safety of our airports, and the safety of air travel in America. On that issue, I and my Republican colleagues do not see it as partisan and do not see any benefit in discussing a partisan divide. We see it as one issue: how do we make the skies of America safe for every single American, black, white, Republican, Democrat, brown, red; every American needs and deserves the best possible protection system for our Federal aviation system to ensure that we are all safe.

I want to say that I think it is sad, absolutely sad when the debate on this kind of issue, which ought not to be partisan, sinks to a level of partisanship where one side is saying the other side is driven by ideology or bipartisan gain. This issue is about the safety of the American traveling public, and it is about how we make our airports and our airlines safe, the securist and the best it can be in the world. How do we create that system? It is not by creating a one-size-fits-all piece of legislation.

I would like to go down to the easel and walk through some of these points, because I think they are extremely important for all Americans to understand, and I have some graphics that I think will help make those points.

As I said just a moment ago, this is not about partisanship. And importantly, although we have heard a lot of discussion about what is wrong with the current system, it is not about the current system. Let me say it again. Let me make sure nobody misses this point. Nobody is debating the merits of the current system. The current system, whether it could have succeeded or not, has, in fact, failed. The current system has not provided the American people with the safety they deserve. So all the anecdotal stories we heard in the last hour, all the anecdotal stories we are going to hear tomorrow and the next day about the failures of the current system, about how the airlines are not doing security correctly; about the corruption, for example, of some of the current security providers, that is really not an issue, because the issue is not the current system. Nobody, again, is proposing the current system. Let us talk a little bit about that current system.

Under the current system, airlines hire private companies to supervise airline security. That is not in the Republican bill. That is not in the Democrat bill. That is not in the President's bill. That is not in any legislation. Nobody is proposing that we retain the current system where the airlines have responsibility for security and where private companies are hired by airlines to provide that security. Why discuss it? Why debate it? I was in a debate on this topic with one of my colleagues the other day who recounted to me over and over again the failings of the current security companies. Guess what? Nobody is proposing that we keep those systems. Under the current system there is no federalized and no law enforcement supervision of any kind. There is none. Right now, the Federal Government has no responsibility because we hand it over to airlines who hire private companies, and that system has failed.

So make no mistake about it, in the debate we are going to hear in the next few days, when we hear Republicans talk about the idea of having a mix of Federal Government employees and Federal supervisors and Federal training and Federal law enforcement personnel at every gate and at every site to supervise, but not requiring that every single employee as a mandate of Federal statute, which cannot be changed until this Congress meets again; when they talk about that, they are not talking about the current system, because that does not exist in the current system. Under the current system, airlines hire private companies. Let me make it clear. That does not exist anymore. It is gone, absolutely, totally gone.

So although the stories about what is going wrong today or what is going right today about the checks that Americans may have experienced or may not have experienced when Americans have been through airport security in the last few days, all of that is a part of the past. Indeed, we will talk a little bit later about one of the dangers about one of the bills, the Senate bill, which says what we should do is make sure that every single employee responsible for any aspect of screening is a Federal Government employee. One of the dangers is that they will go out and simply hire the people that do the job now and make them Federal employees.

I want to make another point here: the issue is not where the paycheck comes from. I have never had a single constituent come up to me and say, you know, Congressman, I think I would feel more secure when I fly in an airplane if I knew that when I got on the airplane the person who checked me through got a paycheck from the Federal Government. I have never had somebody say to me, Congressman, I think I would feel more secure if when I went through the security gate, I knew the person got a paycheck from a private company. Nobody has ever said that is the issue. Indeed, that is not the issue. The issue is and the issue that all of us need to focus on is how do we create the best system to make sure that Americans are safe and secure.

The question we have to ask ourselves is what are the constituent elements of that? Well, I can tell my colleagues that one is, we have decided not to have the airlines continue to hire private companies. We have decided that the Federal Government should take over the responsibility of making our skies safe for the traveling public.

□ 2030

And both the Republican bill and the Democrat bill will provide that. The airlines no longer hire private companies. The airlines indeed no longer have the responsibility for this task. It becomes a Federal Government responsibility.

That is a decision that has been made. That is a debate that no longer will even occur, although some are trying to get Members not to watch the ball, and they may talk about that. They may say that private companies mean we are going to keep the old system. Please understand that is not correct.

There is another point. Right now there are no federalized standards, no federalized law enforcement present,

no federalized supervision at the gates. That is gone. That will not be part of any legislation that is before us tomorrow. But we need to talk about what is before us tomorrow and about the two different alternatives that are here.

One, quite frankly, is an approach by people who I think are genuine and sincere and are concerned about the safety of the traveling public, as I am, who think that the way we have to do that is to prescribe in Federal statute, locking it in forever and ever, until this Congress meets again and the Senate meets again and changes that, that the issue really is, where does the paycheck come from, and that the way to make our skies safe is to have those paychecks come from the Federal Government, because of course if they come from the Federal Government, our skies will be safer.

So the Senate bill, which will be offered here on the floor and which one of my colleagues just a moment ago called upon us to pass immediately, says that all screening of personnel and property must be done by Federal employees. It actually uses those words. It says it must be done by Federal employees, as if making them Federal employees would somehow accomplish the task.

I want to make it clear, I have a lot of friends who are Federal employees. I have great respect for Federal employees. I think they are sincere and hard-working people. I think this job could well be done by Federal employees.

But I do not think that it will be done by Federal employees correctly just because they were Federal employees. I think it could be done by Federal employees; I think it can be done by properly supervised private people, private employees, as well.

Again, the issue is not where their paycheck comes from. The issue is the standards and the training and the supervision, and, yes, the pay and the competence of the people who do these jobs.

The issues are: Are we intelligently thinking through the process; have we correctly assessed the threat; have we set proper security standards; are we training the personnel correctly to do the job; are we supervising them; are there law enforcement personnel present to supervise them; are there law enforcement personnel present to make arrests or to question people, if that needs to occur?

All of those things are true under the House Republican bill and, quite frankly, they are also true under the House Democrat bill, except the Democrat bill offers this premise: unless their paycheck comes from the Federal Government, they will not do it correctly. I simply reject that.

Now, the House Republican bill, and I regret using those terms, but those are the kinds of issues that we have here, and we will be discussing tomorrow a Republican and a Democrat bill, the House Republican bill says that the Secretary of Transportation can do this through either Federal employees, or a mix of Federal employees who are law enforcement-trained and who are screened and trained and supervised, all the personnel. But it says that if the Secretary determines that some of those employees should be private rather than get a Federal Government check, then that is okay. We give that discretion.

I think it is important to understand that this is really not a fight about anything other than should we legislate the Department of Transportation into a strait-jacket where one must have Federal Government employees and Federal Government employees only; or should we give that discretion, so somebody could make a judgment?

If it should be, on their determination, the Secretary's determination, all Federal employees, so be it, but if it should be a mix, we can make that decision, as well.

There are problems with the Senate bill beyond this that I think are worth some attention and worth talking about; and I also want to talk about the facts behind this debate, because there are facts in this debate.

First, however, before we get to those facts, which include how this is done in Europe and how this is done for El Al, the airline that flies in and out of Israel, probably the most-attacked airline in the world, let us talk a little bit about the Senate bill.

In the last hour, we heard people call for, why do we not just pass the Senate bill, and why did we not do it a long time ago, and what in the world could be wrong with this? How could we have such a partisan debate? Why have some Members not just rushed to pass the Senate bill?

First of all, we have this building, we have this Congress, to debate these issues. We have them to educate ourselves and to study these issues. We do not just pass the other body's piece of legislation because it is done. We have a duty. I have a duty to my constituents to read it. I have a duty to study it. I have a duty to think about it. I have a duty to inform myself about it, and I have a duty to consider whether or not it does the job right.

I commend those who wrote the Senate bill for doing a competent job. They addressed a number of these issues. They moved very quickly. They are entitled to credit for that effort. But I do not believe it strikes the right balance. That is why I hope that my colleagues here in this body and all of the people across America will take a careful look and carefully listen to this debate, because the Senate bill is not flawless. Let us talk about it.

One of the first things that is kind of surprising to me about the Senate bill is that it perpetuates a flaw in the current system. The current system has a different mechanism, a different level of security at smaller airports than at larger airports.

Now, maybe if, when we flew from a smaller airport to a larger airport, we had to in every case go back through security, there might be some rationale for drawing a distinction between small and big airports.

But that is not the way the system works. In my State of Arizona, we have two very, very large airports. We have Phoenix Sky Harbor Airport, and I fly in and out of that airport every single week. Let me assure the Members, I am part of the traveling public. I live in Phoenix every weekend, and I live in Washington during the week every week.

I have flown countless times since September 11. I have been through Reagan Airport, BWI, Dulles, and I have been through Orange County Airport, I have been through John F. Kennedy Airport, I have been through LaGuardia, and I have been through O'Hare and D-FW, all of those since September 11. So I am part of the traveling public, and this issue is of grave concern to me, not only for my safety but my family's safety and that of all the traveling public.

But I want to make this point: in Arizona we have two large airports, Phoenix Sky Harbor and Tucson International. But we also have multiple small airports at Flagstaff and at Page and at Prescott and at Yuma.

People should understand that if I get on an airline at a small airport in Flagstaff, Arizona, let us say it is the hometown airline, America West, and I fly out of Flagstaff, Arizona, and land in Phoenix, I am in the secure area at Phoenix Sky Harbor Airport. I do not have to go back through any security screening. I go straight from my arriving gate to my departing gate; and my departing gate can take me to any airport in the country, and indeed, to many airports around the world. It can certainly take me to LaGuardia and to Washington National, Reagan National. It can take me to Dulles and all the major airports of this country.

But if I got on at a small airport, I am in the system. The hijackers used that very advantage when they got on, when some of them got on for the attacks, the unspeakable horrors of September 11.

Yet the Senate bill allows different responsibilities for different airports. It says that the Secretary has the right to delegate the authority for certain smaller airports, but not for larger airports. So we have different levels of responsibility or different responsibility at different airports.

Explain that to me. As a Congressman, do I not have a duty to look at the facts, to look at what happened on September 11 and to say, well, why would the Senate bill say, well, we are going to have one level of security for the 100 or so largest airports in America, but we are going to have a separate and different responsibility at smaller airports, when that was one of the very loopholes that was either used or tried to be used by the hijackers on September 11?

For that reason alone, we should reject the Senate bill and reexamine it

and rewrite it. I hope we will do that. I hope Americans across the country will understand that that is a critical flaw in the Senate bill.

Now, that is not a partisan flaw. It is not that I think that the authors of that bill were insincere. It is not that I think that they intended to leave a loophole in the Senate bill.

It is, however, that in their effort rather quickly to write a piece of legislation to address this very, very, very important topic, they thought, well, maybe we should have the Secretary have different authority for different airports, and maybe we should allow him to set different authority for different airports.

I would argue that that is a serious flaw, and a flaw that was exposed by the hijackers on September 11. That is the first part of the Senate bill, and that would be my response to my colleagues who were here on the floor an hour ago urging us to instantaneously pass the Senate bill.

Interestingly, I had a debate with the ranking member of the Committee on Transportation and Infrastructure, or I guess one member below him, an expert in this field who has done some very, very good work in this field. He said he thought the Senate bill was not perfect; and, indeed, he thought the House Democrat alternative was better than that. I commend him for at least acknowledging there are some problems with the Senate bill.

Let us talk about the second problem in the Senate bill, because I think it is also a very, very severe problem with that bill. I do not see this issue, again, as where the paycheck comes from. I see it as the competency, the training, the supervision, and the professionalism of the people who do this job. I do not see it as being solved by a quick and dirty, ''well, we will just make them all Federal employees'' solution.

But if we go down that road, we have to look at this. Even proponents of that solution say, well, what about the issue of the accountability of Federal employees? What about the issue of accountability of government employees? What about the accountability of the people who will be doing this? What laws should they be governed by?

In the Senate bill, they try to address that issue. In the Senate bill, they have written a sentence which says, notwithstanding any other law, the Attorney General may hire, discipline, and I think fire or terminate these employees. I think their goal there was to make sure that these employees would be accountable, so that is why I talk about accountability.

Right now, the authors of the Senate bill have apparently said, we do not want the same civil service protections for these new Federal airport screening personnel as we have for other Federal employees. They actually, I think, conceded that point and wrote the bill this way because there has been discussion across the country, and indeed, discussion in Europe, about the question of whether or not government employees with full civil service protection can be fired or disciplined as rapidly and as easily as they need to be.

I do not know if they can or not, but I know there was an effort on the Senate bill to say that we ought to do it differently, except that I think they did not do it right.

If we read their bill, we will see it says, as I said, ''Notwithstanding any other law, the Attorney General may do these things.'' But in discussing that issue with one of the authors of the bill, he said he thought that made those employees at-will employees, meaning that if the Attorney General, who has the responsibility under the Senate bill, decided they ought to be fired or disciplined, he could just do it and there would be no civil service protection, no hearings, no nothing; it could just be done. Unfortunately, they do not use the words ''at-will employees.''

But more importantly, and this is a second key problem with the Senate bill, they do not cross-reference or refer the current civil service statute. What I mean by that is the current law gives civil service protection to all Federal Government employees, and there is a statute that gives that protection.

The U.S. Supreme Court, in a series of cases, has said that with that civil service protection, an employee may not be fired and may not be disciplined without certain due process rights.

The Supreme Court has said, Congress could choose not to extend those rights to either all Federal employees or some subset of Federal employees; and I think that is what the Senate was trying to do when they wrote this bill, but they did not. They did not cross-reference the Federal statute that gives government employees, Federal Government employees, civil service protection.

So I think, quite frankly, they have done nothing to ensure that the Attorney General, who has the authority under their bill to hire such employees or fire them or discipline them, in fact has that authority without civil service protection. So I think that is a very serious drafting problem with that bill.

When we hear people tomorrow and the next day urge people on the floor, just vote for the Senate bill, the Senate bill is perfect, the Senate bill is flawless, I hope Members will remember this. Because we can log on and find, all Americans and all my colleagues can find, this legislation and can look up these flaws. They can look up the fact that the Senate bill, which will be urged here on the floor, has different standards or allocates different responsibility for the security of airports that are large and those that are small; and it has this language which tries to make these new Federal employees accountable. But I think fails to do that, because, as we will see, there is no cross-reference to the title IX, section 5, statute that gives these employees civil service protection.

□ 2045

So can they be disciplined? Who knows? Can they be disciplined without a hearing? Who knows? Can they be fired? Who knows? Can they be fired without a hearing or do they have these civil service rights? That issue, unfortunately, under the Senate bill will have to be litigated.

Now there are other issues that I think are worth discussing and worth people understanding on this very, very important topic; and it is not just that I am against the Senate bill. I want to make that clear. I am for the Senate or the House bill, whichever will make America's airlines and America's airports as secure and safe as is humanly possible.

I give no quarter, absolutely no quarter to claims that this debate is about somebody who wants to protect or preserve the current system, because that is not true. We talked about that a minute ago. The current system of airlines employing security companies is gone. That is not in the House committee bill. It is not in any Democrat substitute that will be here.

I give no quarter to anybody who says Republicans do not care about security or about safe skies. Come on. Give me a break. As if I do not fly and my family members do not fly. I give no quarter to anybody who says this is about partisan divide or philosophy or some dislike of government employees. That is outrageous and unfair.

The question is, is the Senate bill written correctly, or should we pass an alternative that fixes a couple of these problems, and do that and go to conference committee and try to write a good piece of legislation that will provide the American people with the securest and safest airline and airplane passenger and air traffic system in the world? And the answer is we have to do the latter. We cannot do the rush to judgment. We cannot just pass the Senate bill when we know it has these kinds of problems in it.

Let us talk about another issue. The Senate bill says that all passengers and property shall be screened by Federal employees. I have already expressed my concern about whether just having them be Federal employees is the answer, but let us talk about all passengers and property. Here is the interesting issue there. The Senate bill does not define, or at least does not define very clearly, about the question of property. What do we do about property?

We understand and I understand and the House bill supports the fact that every single carry-on piece of luggage needs to be screened and screened carefully. It needs to be screened by people who are competent and people who are trained. I think they ought to be certified by the Federal Government to do their jobs. They ought to be supervised by Federal law enforcement personnel

with the ability to question people and the ability to even make arrests on sight. That is what the House committee bill, the Committee on Transportation and Infrastructure bill does. But there are other issues besides that metal detector that we go through and carry our briefcases through, as I did this morning when I left Phoenix.

The other issues are what about our baggage? I think every single piece of checked baggage needs to be screened. It needs to be screened by personnel who are competent, by personnel who are trained, by personnel who know what they are doing and are paid well and are professionals. And they need the equipment to do that job right. That is in the House Committee on Transportation and Infrastructure bill. All of that is in the Committee on Transportation Infrastructure bill.

But when we use the word property we are raising the question of what about the employees who prepare the food that comes on to the airplane? Do they need to be Federal employees? Is that what the Senate bill is saying? What about the question of people who come on to the airplanes to clean them? Do they need to be Federal employees? Maybe they should be supervised by Federal employees. Maybe they should be screened by Federal employees. But do they need to be Federal employees?

One of things that we still do not know the answer to is in the tragic events of September 11 we know that those who carried out the attacks brought on board so-called box cutters. I first heard that term and I did not know what it was until I figured out it is the kind of razor knife that I use to cut open a box at home or to cut a piece of cardboard. It has a blade, it is in fact a razor blade, but the blade is exposed only about an inch.

Some of the speculation about September 11 and the attacks that occurred that day is that maybe those knives were not brought on board by the hijackers themselves, maybe they were brought on board by the cleaning crews. Maybe they were brought on board by the people who prepare the food. Maybe they were smuggled on board by mechanics. We do not know. But again it raises the question and I think the House bill address this, that we need a comprehensive system to ensure all security on those planes. And the idea of let us just make them Federal employees, we have to ask ourselves, where does that end?

Do all the people who cook the food have to be Federal employees? Do all the people who clean the planes have to be Federal employees? Do all the people who bring on boxes of Kleenex or rolls of toilet paper or big stacks of paper towels that we use to dry our hands, do they have to be Federal employees? What about the mechanics? What about the pilots? What about the stewardesses or flight attendants themselves? Do they all have to be Federal employees? That does not make any sense. But under the Senate bill where we have this broad definition of property and this definition of Federal employees, we raise this very serious issue. Are we going to make all of those people, the cooks and the caterers and the cleaners and the mechanics and whoever else might bring something on board, some property on board the plane, a Federal employee?

I think that highlights that the Senate bill, though well intended, I think it has huge sections that are very well written and thoughtfully written out, made a mistake in that vague definition. I think we have a duty, all of us here in this Congress have a duty to read that bill carefully and to reflect on it and not just to rush to pass it, as was mentioned in the debate earlier here tonight. Why can we not pass the Senate bill? We have a good bill in front of us. What is wrong with it?

That is why I get really sad and disgusted. And I would hope that all people of good will in the debate that will come tomorrow and the next day would be saddened and disgusted when the attack comes that says, oh, the only reason that they do not want to pass the Senate bill is because of partisanship; the only reason they do not want to pass the Senate bill is because Republicans do not like it; the only reason they do not want to pass it is ideology or philosophy or refusal to compromise.

These points that I have just made, different airports having different levels of responsibility, accountability being unclear, the vague definition of what is property and what is not property and who would have to be a Federal employee, all raise serious questions on the merits, substantive questions, that I challenge my opponents, opponents of the House bill whether they be on that side of the aisle or this side of the aisle, to address, deal with and talk with. Explain why these are not serious problems in the Senate bill and explain why the debate that will occur here on what we ought to pass to make America's skies as safe as humanly possible is not a meritorious debate.

That kind of leads me to the last point, and maybe the camera can look at it here, and that is the word strait-jacket. I would argue in crafting the Senate bill, its authors were, I think, genuine and sincere and did their best to write a good piece of legislation, have simply made a mistake by creating a strait-jacket, a strait-jacket written into Federal statute that says here is how we do it.

It does not say, we want safe skies and we are going to give the authority to some Federal law enforcement officials to create safe skies. No. It says, we want safe skies and we, the United States Congress, know the only way to make safe skies and so we are going to write into law forever and ever, or at least forever and ever until we pass some other piece of legislation, that way to make the skies safe. And by the way, that is to dictate that all of this be done by Federal employees.

Again, I do not criticize Federal employees. I have great respect for them. It is not about Federal employees or private sector employees. It is about professionalism. It is about training. It is about pay. And the critics who say the current people who do that job are underpaid are dead right. But, again, like I stated earlier, nobody is defending the current system. The House Committee on Transportation and Infrastructure bill drafted by the gentleman from Alaska (Mr. YOUNG) does not preserve the current system. It changes that system, as I outlined before. But what the Senate bill does is create a strait-jacket.

Now I want to talk just for a moment for people who understand the problem when you do that in Federal statute. All of us want clean air in America and all of us think that that is an important goal for us to have. We need the cleanest possible air for Americans to breathe. A few years back, the United States Congress wrote a law and said we will create clean air. And that was the right thing to do. But unfortunately the Congress went a step beyond that. And what we said was the way and the only way to create clean air is to mandate by Federal statute that we oxygenate the fuels. Guess what? It turns out in California that oxygenating the fuel is not the best way to create clean air. And out of this mess we have created TCE, which is in our water supply.

This raises a fundamental question about the debate that will go on here tomorrow. That is, when we as a Congress identify a problem, should we solve that problem by prescribing a standard and giving the authority to people who achieve that standard, or should we tell them how to do the job? Because the Senate bill says the only way to make the skies safe is already known, and it is known by the United States Congress. And it is to require everybody, though it is not clear who everybody is, who screens passengers and property to be a Federal employee. Well, that kind of strait-jacket did not work for clean air because we now have problems with clean air.

The answer is science moves faster than the United States Congress. The answer is scientists in the energy field have already figured out how to make cleaner air without using oxygenates. But the Federal Government knew the right answer, so it did not prescribe that we ought to have clean air. It said we ought to have clean air and this is how to do it. That is the problem with the Senate bill. The Senate bill creates a legislative strait-jacket. It does not say we want the safest skies in the world. It says we want the safest skies in the world and we, the Congress, in our arrogance, know the right way to do that. I want to say that that is just dead wrong. We do not know the right way to do it.

Let us talk for just a moment about the House bill and then the other experiences around the world and the facts. Here is the House bill. It probably is not perfect either, and if we pass the House Committee on Transportation and Infrastructure bill tomorrow we will go to conference and we can take the best of both pieces of legislation. But if we pass the Senate bill, it will be done and it will go to the President.

First of all, as I said, the House bill does not preserve the current system of airlines hiring private sector companies at the lowest bid, by the way, to provide the screening of passenger and baggage at airports. No. It says that all screening shall be done under the supervision of Federal Government employees. And it says that there will be Federal personnel at every single check point.

It is not a question of returning to the current system where we get to the gate and there is some private sector security person that was hired and they are the only one there. It is not that at all. It says that at every single check point in America there will be a presence of Federal Government supervisory personnel. And, by the way, they will either be law enforcement personnel or military personnel, and they will ensure that the screening is done properly. There will be Federal training, there will be Federal supervision, and there will be Federal standards, and there will be a law enforcement or military presence at every single check point. That is not the current system.

But to this key question of whether they have to be government employees every single one down to the last person, it leaves that open to the Secretary of Transportation. It says that we will let that job be done by the Secretary of Transportation to decide what is the proper mix.

I have said there are facts in this debate and there are facts in this debate. And I think it is important to talk about those facts. That dovetails into the way of House Committee on Transportation and Infrastructure wrote their bill because the system elsewhere in the world that is working does not follow the model of the Senate bill.

The system around the rest of the world that is working follows the model similar to the House bill, that is, national government supervision, a national government law enforcement presence at every check point, national government in those countries, national government standards and law enforcement presence; but it does not say that everyone shall be an employee of the Federal Government. Why? Because the issue, again, is not where their pay check came from. The issue is competence, training, supervision, pay, and professionalism.

Let us talk about the experience around the world. Again, I have charts that show this.

This chart, and it is maybe a little bit hard to see, is a chart of Europe. It shows, and I do not know how well it can be read, but it shows the various countries of Europe and it shows a trend. Beginning 20 or 25 years ago in all of those countries, there was one system. The system was the national government ran security at virtually every airport, indeed, so far as I know, every airport in those countries. But beginning in the 1980s they discovered that that system was not the best system. And so they began to move to a mix of private and public personnel at these airports.

Now let us just take a look at them. Belgium went partially private in 1982. They still have a federal government, federal Belgium Government presence at the airports, but they have some private contractors. Supervised, trained, overseen by government employees, but not every single person is a government employee.

□ 2100

The map goes on, I just want to make this point over and over and over again. You may have heard that security is much better in Europe than it is here in the United States and, indeed, that may be, although the first flight I took after September 11, a gentleman in line in front of me had just come from Europe and he said he had gotten on an airplane in Milan, Italy, and he had not been asked a single question or gone through any security screening whatsoever.

But, nonetheless, the argument goes that in Europe, and this is a false argument but it is an argument that has been raised at the outset of this debate, that in Europe they all use government employees. Well, that simply is not true. Belgium went partially private, partially government in 1982. In 1983, the Netherlands, a mix of private and public. In 1987, England had a mix of government supervision and private sector employees. In 1990, a number of countries, Sweden, Norway, Finland, all went to a mix of Federal Government employees of those countries supervising private contractors.

I will not go through the entire chart, but Ireland in 1998, Portugal in 1999, Spain in 1999, France in 1993, Switzerland in 1999, Italy in 1999, Germany in 1992, Austria, I believe in 1994, it is almost impossible for me to read so it has to be hard for you to read, Poland in 1998. Virtually every country in Europe, indeed a grand total of at least 16 of them, has moved to a mix of private sector employees on contract with standards and supervision and training done by the government. That is the system that they have found that has worked the best.

Now, I have tried to describe that mix by saying that it is a mix of personnel, and this is another chart which shows that mix of personnel. It shows what the ratio of private employees to public employees is at each of these European airports. And I can pick any one of them and perhaps read it. For example, in Oslo, Norway, there are 150 private sector employees supervised by 20 public sector employees. In Amsterdam, there are 2,000 private sector employees supervised by a total of 200 government employees. And the ratios are shown all through this map. In Brussels, for example, they use 50 government supervisors to oversee a total of 700 private sector contract employees. In, for example, Helsinki, Finland, over there, you can see the ratio is 20 government employees, supervisors, trainers, law enforcement personnel supervising 150 private sector employees.

Pick any one of these airports and it is, as you can see, a mix. In Geneva, we see it is 50 private sector employees to 250 government employees. So they flipped the chart there. But it is still a mix, and I think that makes the point very clear. The average ratio, as the chart says, is 85 percent private sector employees supervised or overseen by 15 percent government sector employees.

I think it is very important to understand, then, that when we hear people tomorrow on the floor say, look, anyone who opposes the Senate bill is just being stubborn or just being rigid or just being anti-government employee or just being partisan, I hope that these facts, and I assume they will come out again over and over in the course of this debate, will help us understand that at least in Europe there is a mix similar to what would be possible under the House bill.

Now, I think it is very important to understand because under the language of the House bill, the Secretary of Transportation is not placed in a straitjacket. He or she is not told they must all be private sector. Indeed, they are told they cannot all be private sector. But they are also not told they must be all government employees. That discretion is given.

If the Secretary were to decide they must all be, for his or her satisfaction to do the job properly, government employees, then that would be permissible under the House bill. If the Secretary decides it ought to be a mix, as is the case throughout Europe, then that would be possible under the House bill. But, again, under the straitjacket of the Senate bill, that simply is not permitted. That discretion is not given. The Federal Government decides that issue. They decide once and for all, by gosh, it is going to be Federal employees no matter what. That is it. That will assure safe skies, and we the Congress know the right answer. The heck with giving anybody any discretion. The heck with assuring professionalism by training.

They have no more training in the Senate bill than the House bill. Pay. They have no higher standards for pay in the Senate bill than the House bill. Supervision. They have no more supervision of the actual screeners in the Senate bill than in the House bill. Certification of compliance with training. That is not done any differently or any better or any more stringently in the Senate bill than the House bill. It is just that they think that what matters

is where the paycheck comes from, and they think that what matters is that Congress ought to decide. I think that is wrong.

I think it is important to understand two more things in this trend while looking at Europe. Number of European airports with private security. I mentioned that there are 16 airports throughout Europe that have private security. Here is the trend. As I mentioned, it began in 1982 with one airport, it climbed in 1983 and all the way on up, and we can see by 1999 it had risen to 16 airports in Europe, I think the majority of airports in Europe who are a mix of government employees supervising private sector employees.

I also said that there were facts in this debate, and there are facts in this debate. It is not just bias or prejudice or philosophy or pro-union or anti-union, because I do not think those are the issues. Again, the issue is competence. And on the issue of competence, on the issue of what will best protect the American people, there are at least some facts that strongly support this structure, a structure where there is a mix of private employees supervised by government law enforcement personnel, as the House bill requires, and that is demonstrated by this chart.

This chart is a chart of the number of hijackings in Europe and Israel over time, beginning back in 1968, and it shows there were 8, I believe, in 1970, there were 4 in 1973, and on across. If we look at the red line, we will see that in Europe and in Israel, and I will talk about Israel in just a moment, in Europe and in Israel, as they have moved, beginning in about 1982, from a total government controlled system to a mix of government law enforcement supervision and professionalism and training and standards of private sector employees and away from mandating all government employees, the number of incidents has declined.

So the one really hard fact in this debate, what will make the skies of America the safest, is the fact that shows that at least in Europe and also Israel, where we have an airline that is probably the most targeted airline in the world, El Al, the airline that serves Israel, as we have moved from all government employees in the 1970s to a mix of contract employees supervised by government employees, the number of incidents has gone down.

Now, in this debate there was some discussion about Israel, and I mentioned Israel a few moments ago. I think it is extremely important to know that Israel has followed the same model as Europe. And that is to say in Israel there was a point in time when no private contractor was involved at all. The entire process was done by government employees. That system has been abandoned. The system in use now in Israel is a system which includes a mix of private sector contract employees supervised by government employees with law enforcement training.

It seems to me that when we look at the hard facts, when we look at the real issues here, it is fair to see that this is an honest debate. It is a debate which ought to go forward on the floor of the House, and it is a debate in which I hope my sincere and earnest colleagues on both sides of the aisle will understand there is no room for partisanship. There is no room for political attacks of who gets a political advantage or who loses a political advantage.

Indeed, I would hope the American people become enraged at anyone who attacks, one side or the other, saying, well, they are just doing this for philosophy or for political gain. I would hope the Members of this body have enough conscience and conscientiousness to put aside partisanship at this critical point in our country's history and ask themselves, what is the right way to do this job? How do we provide the American people, how do we provide my son and my daughter, or your wife and your husband, or your son or your daughter, or your sister or your brother the safest, most secure system?

I would argue to the depth of my soul that there is not just one answer. I would argue that anybody who says that there is just one answer and that just one answer is in one bill is wrong, whether they said that about the House bill or the Senate bill. The truth is at this critical point in America's history, if for no other reason than to honor the people who died on September 11 in the unspeakable horrors of those attacks, that we have a duty to look at these issues conscientiously, that we have a duty to analyze the facts, that we have a duty to actually read the legislation.

These are pretty short bills. They are not that hard to read. It is not that difficult to pick them up and leaf through them. The American people have the possibility and the ability to get on the Internet and to read every one of the bills that we will debate here on the floor of the House in the next few days. They can read the Senate bill that has been out for the past few days. They can see the good provisions in that bill on making cockpit doors more secure, on looking at the entire airport and trying to make it more secure. They can look at the House bill and see that we do in the House bill many of those same things. We make the cockpit doors more secure and more safe. We make airline travel safer. We provide for Federal air marshals.

But on this critical issue that seems to be dividing this body, I hope the American people will look, and I hope my colleagues will look at the key points of the legislation, and those key points are worth remembering. Number one, this debate is not about the current system or the current contractors.

I know that many of the contractors out there are doing a pathetic job. At my own airport at Sky Harbor Airport, there is a private contractor that has been fired because of their incompetence; not doing the job. Nobody, nobody is defending the current system or arguing that we should keep it. The current system says airlines hire private companies.

Now, maybe that system could have worked, maybe it never could work, but it certainly did not work. Although it is fair to point out, and I have a column here by John Stossel, who says he does not think the right answer is to give this entire function over to the Federal Government. But it is fair to point out that as flawed as the current system is, give it to the low bidder, do not pay them competent wages, do not screen them, and he says it is important to note are we closing the barn door after the horse got out or are we just simply whistling past this whole issue?

The reality is there is no evidence, not one shred of evidence, that the attacks of September 11 occurred because the screeners at the airports let them get by, let the hijackers get by with something they were not allowed to bring on the plane. Indeed, the Federal standards which did exist at the time for what you could carry on the plane made a box cutter legal to carry onto a plane because it had such a short little blade.

So it is important to note that as bad as this current system is, and as certain that we are going to replace it that we are, it is gone, we will not keep that system, there is no evidence that it was that system that let those hijackers get on to the plane. The box cutter knives they carried on board were allowed, and they were allowed to bring them on board.

Now, it is also important to understand that it is not true that only these lousy private contractors make mistakes and only private contractors hire incompetent people or indeed criminals. Because John Stossel points out in his column, a recent column that appeared, that there was a recent government study which found that 150 IRS, Internal Revenue Service, that is Federal Government, seasonal workers had criminal records.

□ 2115

Now, I do not defend the private security companies who have done a terrible job of screening their employees. I do not defend them when they have underpaid their employees. I do not defend them or their records, and I think they should be gone. I will vote for either of these bills because they are going to get rid of this terrible system.

But do not make the mistake that only private companies and only these private companies make tragic errors. Here is the IRS of the United States, government employees, who hired IRS workers, also government employees, 150 of them, seasonal workers who had criminal records.

What about the issue of the government never makes a mistake. How about in my State where a National Guardsman was allowed to carry a gun in the airport, turned out to be a felon.

He was allowed to carry a gun. The question is not that the Federal Government or the private sector cannot make mistakes; the question is how do we ensure that the standards are set and enforced.

Again, we owe it to every American and every American business to create a system that will indeed protect all Americans. My daughter, my son, your daughter and your son, and your wife and your husband.

That system, I do not believe, is in the Senate bill. I urge my colleagues to log on and read it. There are problems in that bill.

Number one, the hijackers tried to slip into this country by using small airports. The Federal bill lets the Secretary delegate the responsibility for small airports to local law enforcement, but says he cannot do that for big airports. If it is not right in all locations, it should not happen in any location. But that is a flaw. Different responsibility at different size airports is a flaw in the Senate bill.

Accountability. The question of accountability is extremely important. We need professionalism, and people who do the jobs as professional. We need people who are trained and paid well. We need people who are supervised well and who are given the tools to do the job, not just at the metal detector gate that I went through today, but downstairs where bags go through.

The Senate bill and its defenders will be here tomorrow, and you have heard them say it can only be partisanship that causes people not to vote for that bill. The Federal bill leaves the accountability question of whether they have civil service protection, whether they can be hired or fired without a hearing and under what conditions unclear.

I do not accuse the Senate authors of that bill of having intentionally made either of these mistakes. I think they were sincere and doing their best; but it is the job of this body as well as the job of the other body to carefully scrutinize the words in these bills and to try to make them right.

The vague definition that I mentioned earlier, the question of does this new requirement of Federal employment extend to the people that clean the planes and bring food on the planes, to the mechanics or pilots, if the only way to make something safe is to be done by Federal employees, do we have to nationalize the airlines? I think the issue is professionalism and training and supervision, and indeed pay and competence. These are the issues that we ought to be looking at in this debate. On one there is a clear answer. I think giving a pure straitjacket for the United States Congress in its arrogance to say not only do we want the safest skies, of course we should say that. But to say there is one way and one way only and that is by making them Federal employees is simply wrong.

The head of airport security in Belgium, who is the head of a European task force on the issue of airport security, said as Europe privatized, he said as Europe moved from an all government employee system to a mix of private sector employees supervised by government employees, said that they had better luck and better success in having responsive employees under the mixed system.

Maybe that is not always true, but I think it is important that this is a gentleman who is responsible for airport security in Belgium; and it is a gentleman who headed up the task force that oversaw that. It is important to understand the one immutable fact in this debate, and that is that when Europe moved from an all-government employee system, and this is true of Israel as well, from an all-national government employee system to a mixed system of private sector employees and public sector employees, the number of hijackings declined.

Mr. Speaker, to conclude, I do not think there is any one right answer, but we have a duty to debate these matters objectively. We owe it to the American people, to the victims of September 11, and we owe it to our families.

CHILDREN WHO LOST PARENT OR GUARDIAN ON SEPTEMBER 11, 2001, MUST BE PROVIDED FOR

The SPEAKER pro tempore (Mr. PUTNAM). Under the Speaker's announced policy of January 3, 2001, the gentlewoman from Texas (Ms. JACKSON-LEE) is recognized for 60 minutes.

Ms. JACKSON-LEE of Texas. Mr. Speaker, so many of us continue to feel the overwhelming impact that Americans felt after the horrific attack on America on September 11, 2001.

My colleague just finished a very extensive discussion and explanation of the agreements and disagreements as it relates to Federal security and the airlines. We will have an opportunity, however, this week to debate that question on the floor of the House, those of us who support the Senate bill and the Democratic substitute that we hope will be presented; and of course the majority will have an opportunity to present their ideas to the floor.

A couple of weeks ago we debated the question of how the President would respond to these horrific acts. Although the time was not long enough, we had the opportunity to debate the war resolution and the War Powers Act and to include Congress' voice and Congress' desire to have oversight as we send our men and women to foreign shores.

Shortly thereafter, we debated the question of bailing out airlines. In the aftermath of September 11, we were told by the industry that they were in severe distress. Although it was not sufficient time, we debated that question on the floor of the House and provided the airline industry with approximately $15 billion.

I believe in providing an opportunity for these airlines to survive. This evening Members will hear me talk about providing an opportunity for employees to survive. So I do not fault what we ultimately did with assisting airlines. I am hoping, having the responsibility of representing Continental Airlines in my hometown, my congressional district, I do believe that we must ensure that the access to commerce, the free movement of people is supported. We are hoping as we begin to secure the airlines and to pass legislation that will provide Federal security for our airlines, we will see the American people accept the comfort, if you will, of the safety of traveling and more and more will travel.

Just today we passed H. Con. Res. 243, expressing the sense of Congress that the Public Safety Officer Medal of Valor should be presented to the public safety officers who have perished and select other public safety officers who deserve special recognition for outstanding valor above and beyond the call of duty in the aftermath of the terrorist attacks in the United States on September 11, 2001.

I supported this legislation. I am gratified that the House had an opportunity to debate the valor of these public safety officers, the great thanks that we owe them, the firefighters, the emergency preparedness officers, the police officers and all others who worked those days in New York and Somerset, Pennsylvania, and Washington, D.C.

We debated on the floor of the House H. Con. Res. 233. I am delighted that we were able to support legislation expressing the profound sorrow of the Congress for the death and injuries suffered by first responders as they endeavored to save innocent people in the aftermath of the terrorist acts on the World Trade Center and the Pentagon on September 11, 2001.

We, in a very unified manner, supported this legislation. I am proud that the Congress took time to debate this and voted on this unanimously, almost, to the extent that Members were here. This is good legislation, and I support it.

Interesting enough, however, in the aftermath of September 11, 2001, I have not heard one full debate on the floor of the House about the children who suffered and are still suffering. Not one hour, not one moment has been debated and allowed for legislation that focuses on the loss of these children.

H. Con. Res. 228 dated September 14, 2001, sponsored and cosponsored by over 40 to 50 Members of the United States Congress, focuses on these children. It seems to me that a Nation that prides itself on the value and investment of children and recognizes that our children are our future, it seems to me that the House leadership is going astray, that they cannot find minimal time in all of the time for suspensions and other initiatives, to be able to bring to the floor of the House a resolution that acknowledges to America we care about our children.

This evening I am going to discuss the plight of these children and wonder why this House leadership in conjunction with the many Members who have signed H. Con. Res. 228, have not been able to bring this legislation to the floor. Let me read simply what it says: expressing the sense of Congress that the children who lost one or both parents or a guardian on September 11, 2001, World Trade Center and Pentagon tragedies, including the aircraft crash in Somerset County, Pennsylvania, should be provided with all necessary assistance, services and benefits, and urging the heads of Federal agencies responsible for providing such assistance, services and benefits, to give the highest priority to providing such assistance, services and benefits to those children.

It is a simple proposition. It simply acknowledges in the law that if a child lost one parent or two parents, either through the tragedies of those airplanes or anyone lost on the ground, that you would be prioritized for benefits that the Federal Government might assist you in securing. Is it a handout legislation? No, it is not. Is it legislation that throws aside other needy children, children who have been abused, suffering from child abuse and other forms of abuse, sexual abuse? Absolutely not.

It takes the bully pulpit of the United States of America and acknowledges this family. Acknowledges Mr. Calderon and the loss of his wife, Lizzie Martinez Calderon. Mr. Calderon is a bus driver in New York. Immediately after he finally concluded that Lizzie was not coming home any more, he realized he was a single parent, like many other parents in the United States of America, but with a connection to a horrific day, a situation where he could not tell his children where their mommy had gone. Little Naomi, 4 years old, and his baby son, 20 months old.

They were here in Washington with me because I felt it was important to bring this family here to show to the Congress that he is but one example of the thousands and thousands of children who have lost a parent or both parents. Children who waved good-bye early morning on September 11, 2001, children who were left at baby-sitters and day-care centers and schools, and parents never came home to see them.

This resolution is simple. It simply says we need to get a handle on the children who have lost parents and who have lost a single parent, and we simply need to help them.

□ 2130

This does not have anything to do with children who are in the system, who are being taken care of, who are suffering from abuse. I have heard that excuse as to why this legislation is not moving. But I simply want to point to this family, and I will point to them time and time again about this great loss that this family has experienced. The tragedies of September 11, 2001, left thousands of victims from all around the world experiencing the devastation of the loss of a loved one. Those of us who have gone to Ground Zero, still seeing the seeping smoke, smelling the stench but most of all seeing the sense of loss, those of us who have seen the wall of honor, who have looked at those families, knowing they have come from places around the world and certainly those here in the United States, we realize that the words that the mayor of New York said are so close to our heart. Indeed, these attacks against all people and against all humanity are more than any of us can bear.

What do you think the children are experiencing today? What about the quagmire of red tape and bureaucracy as it relates to a variety of benefits that would provide them with assistance? This legislation simply wants to help the children. Specifically what it does is it works to provide them with the needed foster care assistance, adoption assistance, medical, nutritional and psychological care, such additional care or services as may be necessary. It seeks to help thousands of families like the Calderon family.

Let me talk a little bit about these tragedies. Let us just talk about these victims. Passengers and crew of Flight 77, Flight 11, Flight 93 and Flight 175, civilians and military at the Pentagon, thousands of civilians and rescue workers killed or injured at the World Trade Center, all of them, or many of them, left children behind. The children are what we are speaking about this evening. Let us begin to talk about the numbers.

One of the concerns that this legislation would be able to address, this sense of Congress, is to find out how many of our children are lost, estimates of children impacted. The estimates vary greatly. The reason is because we have not had a Federal presence to assist the local and State governments with being able to assess the number of children. Based on news sources, we understand there might be 10,000 children lost. Based upon a report in the New York Times, 15,000. We do know that 4,000 qualify as orphans under the Twin Towers Orphan Fund. One thousand five hundred children left by the 700 missing Cantor Fitzgerald employees alone. This is a tragedy. It is a tragedy that we must address. Four thousand orphans, between 10 and 15,000 children. H. Con. Res. 228 can help us solve that problem.

I am delighted that I see on the floor one of my colleagues who was an original cosponsor of this legislation, the cochair of the Women's Caucus, a strong and eloquent voice for the rights of women and children who realizes that this number, which will continue to grow, cannot be left unattended. What kind of Nation are we if we cannot even attend to the needs of these children? What kind of Nation are we if we cannot address the concerns of the Calderon family? What kind of Nation are we if we cannot eliminate the bureaucratic red tape and help assist those many families? I am delighted to yield to such a fighter for children, the distinguished gentlewoman from California (Ms. MILLENDER-MCDONALD).

Ms. MILLENDER-McDONALD. I thank the gentlewoman from Texas for her leadership on this issue, an issue that she has garnered as the chair of the Congressional Issues on Children, especially the critical role addressing children and mental health. I am here to join her tonight in her efforts to try and push through H. Con. Res. 228 as it relates to our children, and especially the children who have been left parentless with either losing one or two parents.

I am really touched and heartened by the New York Times article today, ''A Nation Challenged.'' Indeed, these are challenging times for all of us, given the events and the tragedy of September 11, but none that is more challenging than that of the children who have been left to try to carry on with either one parent or no parents left after this tragedy. I was reading about this young man, his name is Aidan Fontana, age 5, who lost his father in that tragic fire in New York. His father was a firefighter. This article continues to talk about the trappings of a funeral when his mother finally gave in to the notion that the husband would not be returning and she had the funeral just the other day. It states here that when this young boy, age 5, Aidan, looked out the window and saw the spectacle of a thousand firefighters saluting him, he said to his mama, ''Mommy, I'll remember this day for the rest of my life.'' The mother said, ''Good, that's why we did it.'' She was trying to bring some closure. But, yet, in the aftermath of this, the article goes on to say that he throws tantrums when it is time for bed, something he has never done before. That is where the whole notion of H. Con. Res. 228 comes into play, when it addresses the needs of these children. It talks about the foster care assistance. It speaks to adoption assistance. There are so many children, 15,000, as the Congresswoman out of Texas has so eloquently put on the floor. We are talking about medical care, nutrition and psychological care, educational services. Such additional care or services are necessary in light of this tragedy. I am so pleased that the Congresswoman has seen the need to bring such a critical and important piece of legislation to this floor, not just because of the Women's Caucus but that is indeed an element by which she has brought this resolution to us, and we have all embraced it, but it is because of this House speaking to and addressing this very Nation's tragedy, this challenge that parents now have before them, a Nation that has been challenged to try to address the needs of these children. And so as she spoke about the 4,000 qualified orphans under

the Twin Towers Orphan Fund, when you talk about the different children missing at the Cantor Fitzgerald employees alone, some 1,500, I say to her, keep bearing, keep pushing on. This legislation is critically needed. We know that the children of our Nation are suffering in many ways and in need of mental health, but this is another group that has been added to those numbers that indeed need the mental health assistance, the psychological assistance and the nurturing assistance of all of us here in Congress.

I urge my colleagues to join with me and all of the others who are original cosigners of H. Con. Res. 228 that speaks to, addresses, listens to and helps in the assistance of the children who have been befallen by the death of one or two parents. I thank the gentlewoman so much for yielding.

Ms. JACKSON-LEE of Texas. Mr. Speaker, I want to applaud the gentlewoman for putting a visual face on this young boy through the article of the New York Times to really translate to this House what this legislation does. What this legislation helps us do, first of all, is to have a debate about children, how the children were impacted on September 11, but then it moves to the next step, which says this is going to be a long journey. Remember, the President said the war is going to be a long journey. But the pain and the hurt that will be impacting these survivors, and then these children, is going to be a long journey. The gentlewoman just highlighted what has been quiet, what has been hidden, what these now single parents and certainly as I indicated earlier, we know children across the Nation have suffered the loss of a parent. We know children across the Nation need foster care and need adoption. But we have never experienced this in our entire lifetime.

Ms. MILLENDER-McDONALD. If I might say to the gentlewoman, this is absolutely true. Many kids have lost their parents at an early age, some to illness and other catastrophic events. But this event has taken us not only by surprise, it has knocked us off our feet. Yet we have so many children who have been knocked off their feet, off their pedestal, if you will, of having a father to come home at night and tuck them into bed, of having a mother who is a flight attendant to come in after having circled the globe, if you will, from one end of this country to the other and then back home. We can think of the flight attendants whose husbands have talked about the loss of their wives. Yet they talk about now having to be the parent for the children. I say to the gentlewoman, this debate must be taken on this floor, because we must continue to raise the bar on the importance of attention to these children who lost their parent or parents on September 11.

Ms. JACKSON-LEE of Texas. I thank the gentlewoman. She is so absolutely right. The issue before us is long range. I would just simply refer to her, because I know that she is a parent. I know that in her legislative leadership in the State of California, certainly she was very active on education issues. We are told frequently in dealing with teachers, in dealing with the school system, there is some latent impact, if you will, on children who have gone through trauma. So we do not know how many months, years down the road we will be experiencing some of the impact of this particular incident through these children, as indicated by these findings. But what I want to say to the gentlewoman and I would like to yield to her for her response, the difference, I think, that will befall these children slightly different from certainly the other sad stories of children who have lost their parents, this is being repeated over and over and over again. This is going to be the discussion of Americans over and over and over again. Just yesterday, we were put on a high alert. We are living this. And so these children cannot put it to rest. They cannot get past this. They cannot heal. It is important for the Federal Government to take a public stand of being concerned about these children.

Ms. MILLENDER-McDONALD. I am reminded of the fact that when we both went to New York to Ground Zero, that the very able Mayor Giuliani said that they see 20 funerals a day. Just think of the 20 funerals a day that our children see on television or even being talked about by friends who were friends to their father or mother whose life was lost. Yes, in education, as a former teacher, I have seen children who have gone through different traumas. You would think that they have walked through and there has been some finality to it. But in a month or 2 months or even a year, it all comes back and they are back into the throes of a very imbalanced, they are just absolutely frustrated, confused, they cry. They do those things that get attention because they do not know what else to do given the hurt that they are bearing, that they are feeling because of the death of a parent. Just to think of these children who just in a matter of 30 minutes with the catastrophic thing that happened to the Twin Towers, their parent, one of their parents' or both of their parents' lives were taken. And so I challenge all of us to talk about and to get to the crux of the problem of how we are going to deal with these children who have lost their parent or parents, and who are now challenged with trying to continue on in their little lives with this type of traumatic mental and psychological issue before them. I challenge every one of the Members of this House to let us pass H.Con.Res. 228, let us debate upon it, and let us begin to start addressing the needs of our children.

□ 2145

Ms. JACKSON-LEE of Texas. Mr. Speaker, I thank the gentlewoman from California (Ms. MILLENDER-McDONALD) for joining me this evening, and I appreciate very much her leadership on this issue. The gentlewoman highlighted some very important issues and particularly talking about the little 5-year old. What a sense of maturity for a 5-year old to say he will never forget this day and then to hear that he experiences these traumatic events at night, these kinds of episodes that he is experiencing. None of us are psychologists but we can imagine that he is going through something so tumultuous that he cannot explain it.

In fact, the National Mental Health Association has highlighted that very point.

War-related violence of the Bosnian war paralleled attacks of September 11, 2001. Again, violence, war-related violence on our soil.

Years after the war, teens, from the Bosnian war of course, still experience chronic depression, post-traumatic stress disorder and grief.

Children's normal grievance process interrupted. That, of course, is the process that we are talking about. We cannot bring closure if in the instances of many of these children the loved one's remains were not found. I mentioned the loss of 700 employees from Cantor Fitzgerald. I know this is tragic to say. Someone may be listening and so I do not want to emphasize it, but they were at a very high height, and so many of these families have not had the ability to grieve, and those families include children who have not had the ability to grieve.

In addition, as we said earlier, this goes over and over again. If New York is showing 20 funerals a day, if the media is recounting these episodes, if we are still talking about finding terrorists, all of this reminds the children of the fact that this incident occurred but that they lost their parent.

I am told that in the State of New Jersey in one city 25 dads were lost in that one community. If that is accurate, can you imagine the need for an emphasis of care there?

This resolution does two things. One, it allows the Federal Government to speak in one voice about the children. Secondarily, it gives comfort and encouragement to State jurisdictions and local jurisdictions to formulate their own special task force that can assist the spiritual community, social service community in finding these families and guiding them through the process.

These families may not all need a welfare assistance. They may need the Social Security death benefit. They may need educational benefits, but they may not need the ongoing welfare system. I do not want anyone to think that all the families are alike, but I can assure you they may need the social services and to have the social service community focus upon their needs.

How many times I have spoken to parents who have gone through this traumatic event and they are just going through normal events, and they need the social service system.

I would be happy to yield to the gentlewoman from California (Ms. MILLENDER-MCDONALD).

Ms. MILLENDER-MCDONALD. Mr. Speaker, when the gentlewoman talked about this legislation and the need for the local and State to integrate their coordination of services to address the needs of these children and families, I am reminded of the fact that we will soon have the aviation security bill on the floor. The one thing that we have talked about with that bill, with the anti-terrorism bill and all of the bills that have come since the tragic events of September 11, we have talked about the local and the States services getting together, public health, other health, mental health, psychological health services, getting together in a coordinated effort to address the needs that is addressed in the various pieces of legislation I have just mentioned.

It is so timely now for us to bring about the same type of coordinating of services that addresses the needs of our children. It is really I think unconscionable for us not to have the children as part of this whole package of legislation that we speak to with reference to healing, trying to bring closure, trying to bring some sense of caring and some sense of assistance to the myriad of needs out there, given the September 11, but our children, the most important investment that we have, the future of this country, we cannot tarry any longer from addressing those needs that are outlined in this legislation.

So, again, I thank the gentlewoman so much for her leadership on this and for bringing this to us, letting us now include in that final piece of that puzzle our children, the need to address their psychological and other needs given the tragic events of September 11.

Mr. Speaker, I will yield back.

Ms. JACKSON-LEE of Texas. Mr. Speaker, as I indicated, I thank the gentlewoman for her leadership. I think the working relationship between the Congressional Children's Caucus and the Women's Caucus has been a steady and ongoing friendship, and I look forward to us maybe collaborating on hearings, briefings that would bring families like Mr. Calderon, who I have had the pleasure of seeing and giving him encouragement, but maybe some more of these families can come and brief us and inform us as to what other services this whole community may need.

Again, it is New York. It is right here in Washington, D.C. I think we recall the fact that even children were lost on the planes, and I know that their parents are suffering.

We are speaking about children but I am reminded of the story of the little boy here from Washington, students, I guess there were more than one, going out for a special program out in California who lost their lives, but there are going to be a lot of children here, New York, Somerset and other places because we have not accounted for the passengers who lived in different locations other than these places, and that is the concern that I have, have we reached out to all these.

So I look forward to us maybe collaborating so that this House can understand better.

Let me again reemphasize to the House what we are speaking about as it relates to this legislation.

Foster care assistance. There may be a need if a single parent is the sole bread winner now that foster care be temporarily in place, because that parent is not willing nor desirous of giving up that child. He or she loves the child but because of the tumultuous experiences that both have gone through in losing another parent they need temporary assistance. We need to ensure that that is prioritized and those children are in the system in an expedited process.

In addition to the foster care that they might be given, that because of these unknowns, that the foster care parent, family that they select has the special resources and support to help that child go through trauma while they are separated from their parent.

Adoption. I indicated that there were children who lost two parents, remaining at day care centers, remaining at baby-sitters, remaining at schools. Some of them are in homes of relatives, but that may not be the final place for them. It may not be a place where they can continue to live. We appreciate families and friends that have taken in these children, but this may not be the final place where they are able to be maintained.

Medical, nutritional and psychological care. There is no doubt this particular list points to teenagers, but we just heard a story about a 5-year-old who is experiencing temper tantrums. You just met Naomi, who is four and her younger brother, 20 months old, who are continuously asking even in my presence where their mommy was, calling out mommy's name.

How do you work with children unless the Congress, in collaboration with local governments, begins to ask the questions are there sufficient services like foster care assistance, adoption assistance, medical nutritional and psychological care and educational services? These children are going to be in our school systems all over the country. They are going to be in classes from preschool to kindergarten, to primary and middle school. They are going to be in high school and they are going to be looking to teachers and school guidance counselors and others. How can we help them if we do not have a sense of their need?

Additionally, we urge such agencies to maximize to the extent possible to take such steps to ensure that such assistance, services and benefits are provided within 60 days of the date of the determination of the death of the child's parent or guardian. That is a big step in this legislation.

What we are suggesting is we want these children to be out of the quagmire of bureaucracy. We want their needs to be addressed quickly and carefully. We would like these supporters, if single parent or relative or friends, who have these children right now, to be able to get in the social service system in the right way so that the stress is not overly emphasized.

It is very important that this Congress again speak to this issue. We had, as I indicated earlier, the Congressional Children's Caucus, a briefing on October 12, 2001, on the basis of moving this legislation forward. We had a briefing that would help to move the Congress' mind toward making sure our children are taken care of.

Cindy Freidmutter, Executive Director of the Evan B. Donaldson Adoption Institute in New York, spoke to the very issue of how to take care of these children. She noted that after September 11 the Adoption Institute proposed the permanency project to minimize further trauma and uncertainty in lives of children who lost one or both parents in the attack.

This project is needed due to the uncertain future faced by children who have lost their parent, parents or guardian. For many of these children, extended family members become decision makers and permanent care givers for these children. Some children, however, may not have a relative or a friend to assume parental responsibility and eventually enter the public welfare system. Other children find themselves moved from place to place and relative to relative.

We need to embrace such programs in order to be able to step in and provide the social service embrace that these children need. This resolution will help the Department of HHS, Health and Human Services, begin to interface with organizations like the one represented by Cindy Freidmutter dealing with adoption and establishing a permanency project.

It is important that as adoption is looked at for these children that included in the determination are new parents who can address the question of trauma. Again, I repeat the point, these children will be living through this day after day after day, month after month after month because we are living through this as we speak.

Terrorists are here with us as we have come to understand. The Department of Justice and the Attorney General just yesterday announced that we are on high alert. These children will be engaged in that. Their classmates will be talking about it, asking them about their mommies and their daddies, have they come home yet, and because of that, this legislation is needed. We need to ensure that this legislation asks those agencies to be able to move quickly.

Medical and nutritional services. Without a parent or guardian to provide regular medical and nutritional services, children face worsening situations.

□ 2200

That speaks particularly to those who may have stepped in now to help these children. As they have stepped in to help these children, they need support. The medical care covers the psychological care, and we do not know whether or not these children will face medical problems because of the stress. We do not know what the impact on little bodies and little minds will be, so it is important that we provide that kind of care.

According to the National Mental Health Association, children who experience such trauma are at extreme risk of mental disorders, particularly in situations such as this, where ongoing trauma exists due to the loss of parents or a guardian. For example, as I noted in the Bosnian war, we are able to tell that those children still are impacted. But even today, with the mental health crisis that we have in this Nation, we realize that less than the number of children that need access to mental health care get access to mental health care. In fact, that is one of our greatest tragedies in this Nation. We are not able to provide those resources. We do not have them in the schools. We do not have them in the communities.

That is why I have authored H.R. 75, Give a Kid a Chance mental health omnibus bill, to provide more community mental health centers in our Nation. But we do know that less than three-quarters of the children who need such care in America do not get the care. We have seen that during the months and years that we experienced enormous, terrible incidences of children using guns. Many of those children needed mental health services. So here we have a situation where a child is not themselves doing violent acts, but violent acts have been perpetrated on them by the violent loss of their parents.

I do not know how we can stay in this House and provide the assistance that the President asked for, fighting terrorists, which we all do support; I do not know how we can debate airlines, which we all do support, the airlines being bailed out, and we can now debate the security for the airlines; we all support that. My many friends who are on the airlines working, stewards and stewardesses, I am very supportive of them getting this assistance. We want the airline industry to remain strong, to get stronger, and to be part of this economy. But can we not have a debate and pass H. Con. Res. 228 to help the children of this Nation and the children that have experienced this terrible, traumatic event.

We need as well the educational services that this legislation focuses on. Clearly, children displaced from their homes, communities and families must be stabilized as soon as possible before further damage is done. The point being made is that many of these children may be moved from where they lived in order to stay with relatives and friends. They will be going into new school systems, new schools, and they will be there lonely and by themselves without the support assistance. Why? Because we have failed to establish the Federal Government's caring about these children in order to encourage local governments, wherever these children may find themselves, in whatever States they may find themselves, to encourage these local governments to be looking out for children who are the victims, if you will, of September 11, 2001, by the enormous loss that they have experienced.

So educational services are very, very important. One of the most important factors in providing such stability immediately and in preventing further destabilization is maintaining the level of education that existed prior to the loss of the parents, or guardian. This resolution would help encourage again, the Department of Education to begin to design certain kinds of services, to even do research to be able to determine what these children will actually need in these schools, whether or not what we already have would be the appropriate, if you will, kind of training that the teachers should get and the appropriate kind of educational processes that these children can develop and flourish in.

How important it is to insist that the children have as normal a life as possible. That is what we are trying to get with H. Con. Res. 228. We are trying to get the Federal Government to put its official concern behind this terrible loss. When we have debated everything else, the economics, the war, we have debated supporting and encouraging and applauding and certainly offering our sympathy to those first responders who lost their lives, to those public safety officers who lost their lives, and I am gratified to have joined in that legislation, then do we not think it is time that we recognize the thousands of children, 10,000, 15,000, orphans already declared eligible as orphans under the Twin Towers Orphan Fund. Now we need to ensure that this is not short-lived, but, in fact, we have it in an ongoing time frame. It is very important to insist upon the children being considered important.

Again, I would like to point out why that is the case and why this resolution should be passed and what it does. It is very simple. It urges the heads of Federal agencies to give the highest possible priority to those children. It is noncontroversial. It merely prioritizes the delivery of Federal benefits currently available under Federal law. When can we pass legislation in this House where we are not going into funds that we really do not have. Some members of the Homeland Security Task Force, led ably by the gentleman from New Jersey (Mr. MENENDEZ), and I had the pleasure of working with so many Members, we realized that to secure this Nation, to secure it with the right approach, which I believe the Homeland Security Report issued last week by the Task Force excellently presents to the American people on ways to safeguard this Nation. There are other issues that we will be addressing in the future, but it deals with the military and the health and public health system. It also deals with the military, as I said earlier, but also securing our borders. It deals with intelligence. But here we have an initiative that can be delivered to the children, benefits currently available under Federal law. It also urges such agencies, existing agencies to maximize the extent possible to take steps to ensure such assistance, services and benefits are provided within 60 days of the date of the determination of the death of a child's parent or guardian.

Does that seem too difficult, to be able to ensure that these children have a way of getting their benefits quickly? As I indicated, the Homeland Security Task Force recognized in its work that we would need financial assistance, some $3 billion to begin the process of securing this Nation. I am gratified that one of the focuses that they had was the whole idea of the public health system to ensure that we had a public health system that was connected throughout the Nation, rural areas and urban areas, and as we look to ensure that public health system, it would likely include access to mental health services. All of that certainly is something that we will look to the future to do. It is a very excellent road map, guide for legislative initiatives, but can we not, before we even begin that long journey to ensure the safety of this Nation, again, go back to assisting our children. I am unaware of why this is such a difficult proposition, to be able to get the heads of Federal agencies to be concerned about these vital needs. I raise them again. The Calderon family needs to have foster care assistance if that is what the family believes they may need to utilize. I applaud Mr. Calderon at this point because he is taking care of his family. But he is an example of the needs of families. There are families that may need adoption assistance, medical, nutritional and psychological care, educational services and such additional care or services as may be necessary in light of this tragedy.

Let me speak to number 5. What we want to happen there, of course, is we want these communities to be able to assess what new these children need. This is new for all of us. We have never had war on our soil. And this is, in essence, like war. We do not know what additional services these children may need, what kind of school services they may need, whether or not they may need to have some sort of break in their educational career, if you will, and put in another system to help them get through the trauma. Again, we reemphasize the point that these children will live through this trauma over and over again.

Let me share with my colleagues some of the letters from organizations

that I have an enormous amount of respect for, with long histories in fighting for children's issues. Save the Children wrote, ''We endorse the purpose of the resolution, which is to express the desire of Congress to provide immediate relief to the children who suffered the irreplaceable loss of parents or guardians due to the September 11, 2001 tragedies. On behalf of Save the Children, I am writing to lend our support for H. Con. Res. 228 which you introduced in the House of Representatives on September 14, 2001.'' This is from Kathleen Connolly, Director of Public Policy and Advocacy. ''Save the Children applauds your efforts and recognizes the immediate needs of the children who suffered such a great loss as a result of this tragedy. We see this as an essential first step and hope that we can continue to build upon this initiative to meet the long term needs of children everywhere who have been affected by these tragedies and potential future events.''

Child Welfare League of America, on behalf of the Child Welfare League of America: ''I am writing to lend our support for H. Con. Res. 228 which was introduced in the House on September 14. We endorse the purpose of this timely resolution, which is to express the desire of Congress, which is to provide immediate relief to these children. We urge all Members of Congress to join you and the resolution's cosponsors in supporting this legislation.'' This is from Shay Bilchik, their executive director.

Orphan Foundation of America, on behalf of the Orphan Foundation of America: ''I am writing to lend our full support for H. Con. Res. 228, which was introduced on September 14,'' and they too want the Members of Congress to pass this.

Children's National Medical Center has also sent its support on behalf of their organization to support H. Con. Res. 228, as ''This resolution recognizes it is vital to prioritize the delivery of benefits and services already available under Federal law to children who have incurred these great losses in the World Trade Center, Pentagon, and Somerset County, Pennsylvania, and other places. Importantly, the resolution recognizes that the delivery of crucial services and benefits is sometimes delayed due to statutory or administrative delay, often leaving those in need waiting for relief. It is essential that the children who suffered such a great loss as a result of this tragedy not suffer again because of delayed access to needed services and benefits.''

Let me emphasize this point. This is a very important point. Benefits are sometimes delayed due to statutory or administrative delay. This is why this resolution is needed. It gives, if you will, impetus to the engine of government to untangle the administrative red tape, untangle the statutory red tape, not to violate the law, but to move forward on the benefits that these children may need.

The National Association of School Psychologists likewise are supporting H. Con. Res. 228 and they are writing on behalf of the National Association of School Psychologists. ''I am writing to lend our full support for H. Con. Res. 228.'' If there was ever a group that has dealt with children and their needs, they represent over 22,000 school psychologists who work with families and educators to promote youngsters' healthy development and learning. This organization strongly supports public policy that meet the mental health needs of all Americans and particularly those of children and youth. We have already spoken to youth about the potential of the losses that these children will experience, the potential psychological impact that they will have, and that they may need a great emphasis on psychological services right here.

We have already heard about the National Mental Health Association has already said to us that out of the Bosnian war, we saw teenagers who had long term post traumatic experiences and stress that had to be addressed. I do not see how we can even expect not to see these kinds of impacts on the children who lost their parents in that terrible tragedy.

□ 2215

I hope that all of them will be made whole, and that they will again see joy in America and joy in their lives. I know there are loving relatives who will be reaching out to take care of them, many of them. But in instances where they will need foster care or adoption assistance or psychological care or different kinds of educational care, can this Congress not step up to the plate?

The American Academy of Child and Adolescent Psychiatry likewise is offering their support: ''On behalf of the Academy of Child and Adolescent Psychiatry, I offer our full support for H. Con. Res. 228. The resolution recognizes that the delivery of crucial services and benefits is sometimes delayed.''

Again, we emphasize that all Members of Congress should support this legislation. I thank Clarice J. Kestenbaum, M.D., president of this organization, for supporting this legislation.

This is crucial. Why we are delaying in the passage of this I cannot understand. I am gratified for the interest of the Senate, the other body, in its review of this legislation, and I do believe that we will have the opportunity to see this legislation passed.

I would hope that we will spend the next couple of days and weeks debating issues that will help the people who lost their loved ones; that we will spend time trying to help those who have been impacted even beyond the terrible violence of September 11, 2001.

I would like to add to my concerns the fact that this House has not brought forth legislation that I have cosponsored, and many others, the Gephardt legislation on the help and assistance for laid-off workers. The headline in USA Today: ''Tough Times for Laid-Off Low-Income Workers.''

''After attacks, the jobless rate climbs and assistance is harder to come by for America's working poor.'' This is a long article that indicates that Congress has yet not finished its job.

That is what I would say about what we owe families like the Calderons, who lost Lizzie Martinez Calderon, their mother. And there their dad is taking care of these two wonderful and beautiful children, children who I know will be loved so much by him and his family, though he indicated that he is here without many of his relatives. They need our help.

H. Con. Res. 228 is a legislative initiative that needs to be passed, and these laid-off workers need our help, as well. Can this Congress only talk about nuts and bolts and not talk about the human loss, the sense and the depth of the feeling that these families are having, having to take care of these precious children without any assistance?

Can we not encourage task forces where necessary, in areas where this impact is felt, that they begin to organize around assisting and providing for these children, making sure that the red tape, administrative red tape, the statutory red tape is not inhibiting or prohibiting the care and nurturing of these precious babies?

House Concurrent Resolution 228 is a simple proposition. It is a sense of Congress. It is a statement to the American people. It is a statement to those States where there is an impact from the tragedy of September 11, where there were so many dads possibly lost in one city, where 4,000 orphans were possibly created at the Twin Towers, where there are guesstimates of between 10,000 and 15,000 children who have lost a parent, guardian, or parents.

And yet on the floor of the House since September 11 we have not dedicated one moment to talk about our children and to pass legislation for these children, to encourage our Federal agencies, from the Department of Education to Health and Human Services to many, many others, to be able to talk about these children.

Health and Human Services has a whole department dealing with mental health issues. I believe they should be front and center in determining how we can help these children.

Mr. Speaker, as I close, let me simply say that I believe it is the obligation of this House to take some time to care about our babies and about our children. These children who have lost their parents, these children need our help, and we need to move H. Con. Res. 228 in order to help our children.

ON THE PASSING OF THE HON. JERRY SOLOMON, CHARLIE DANIELS, THE AIRLINE BAILOUT BILL, PROFILING, AMERICA'S BORDERS, AND BEING POLITICALLY CORRECT

The SPEAKER pro tempore (Mr. PUTNAM). Under the Speaker's announced policy of January 3, 2001, the gentleman from Colorado (Mr. MCINNIS) is recognized for 60 minutes.

Mr. MCINNIS. Mr. Speaker, I will start out by saying I take issue with the comment the gentlewoman made that it is about time this House paid attention to some of the needs of the people out here. What does the gentlewoman think the House is doing? Everybody in the House, Republican or Democrat, cares about the horrible losses that occurred in New York City, that occurred in the Pentagon, the economic losses across the country.

I think it is wrong for any of my colleagues to stand up here and imply that one side or the other is not taking the time to care about the people of this Nation. I believe every Republican and every Democratic Congressman, and I do not agree with all of them, but I can tell the Members that all in one way or another are committed to moving this country forward in some type of positive fashion.

Since the tragedy of September 11, I have not come across any Congressman that does not care about the children or the people who have been hurt by the consequences of that horrible, horrible tragedy. So I think it is important, and I think it is a responsibility of every one of my colleagues when they stand up here and speak and we address each other, that we acknowledge at the very beginning that Republicans and Democrats care about the needs of these people; and that while we may have debates, the fact that we have a debate should not signify that for some reason that means that people do not care about the people who have been hurt or impacted out there in any kind of negative fashion.

So I do take exception with that comment, and I hope the clarification later resonates from some of my colleagues.

Mr. Speaker, I would like to mention, with due respect to my good colleague, Jerry Solomon, who passed away over the weekend, Jerry was a remarkable man. He was a Congressman from the State of New York, chairman of the Committee on Rules, and served 20 years in the United States Congress.

He had a lot of guts. He spoke very eloquently on the floor. He represented his interests, the interests of the State of New York, the interests of the things that he believed in so strongly, veterans affairs and business issues that he was very well-versed in. He used to be an insurance agent.

His unexpected loss last week is a loss to this Nation. I want to send my deepest regards to his family. I hear his service is going to be tomorrow. I intend to attend that service, and will represent my colleagues who cannot attend that. So our warm wishes and warm regards to the family of a very remarkable man who we all had the privilege of serving with in the House of Representatives.

Also tonight on Hannity and Colmes, the TV show on Fox Network, I saw Charlie Daniels, the country western singer. I can tell the Members, he was talking about this newest song where he talks about the flag, and the pride in the flag.

Charlie Daniels represents, in my opinion, a lot of people in this country. There are a lot of blue-collar workers out there. He is their hero. He is their singer.

I just wanted to say I hope Members get an opportunity, if they ever see him, tell him to stick to his guns, by gosh, because he is right. What happens is there is so much of this politically correct garbage going on out there: Oh, my gosh, look at this song, it is not politically correct because it may offend some group out there.

We need to move a little further away from political correctness and get back to realism. Charlie Daniels represents the views of a lot of people in this country. And how interesting, people who jump up and yell about his song, and they object to his song because at some point, through some type of interpretation, it might offend somebody, and therefore Charlie Daniels' song should not be allowed at some concert, those are the very same people that demand freedom of speech when they come up with a controversial issue.

I just wanted to pass on to my colleagues, if they get a chance to listen to Charlie Daniels in an interview, he obviously holds his own. I want to send a commendation to that song. I think it is a great song, and I think it represents a lot of the views across this country.

Tonight, for the main context of my remarks, there are a number of different things I want to talk about. First of all, I want to talk about the airline bailout bill. I am going to go into some of the promises and some of the thoughts that those of us who supported that bail-out bill have.

I am not the kind of person, Members can tell from my record, who is inclined for a government bail-out of any type of industry, but I felt some convictions about this, the need for the airline industry to stay afloat. Frankly, I felt some sense of betrayal this week by United Airlines, which has a large location in Denver, Colorado.

I want to visit a little about profiling, the need for profiling, who uses profiling in our society, and why I think profiling is an essential ingredient for law enforcement. Profiling is dictated by common sense, and every one of us in these chambers uses profiling every day in our life.

Why all of a sudden, when we talk about using profiling to protect the security of this Nation, to provide homeland security for this Nation, to hopefully prevent another terrorist act, why all of a sudden should profiling then become politically incorrect? It makes no sense. I want to go into that in a little more detail.

I want to talk about our borders. Clearly we have a problem on our borders. We have 500 million crossings, 500 million crossings every year on our borders. Maybe we ought to consider a dramatic tightening of those borders until we can get control of those borders.

Some people said it is impossible to track those kinds of numbers. If we have a huge amount of numbers crossing the border and it overwhelms the operation of tracking, the only obvious thing, if we cannot upgrade that operation quickly, and obviously we cannot do that, we need to downgrade the amount of volume coming in. It is a pretty easy decision to make. I want to go into more depth on that.

I want to talk a little more, again, coming back to this politically correct thing and the challenges that we face in this war that we are engaged in.

We cannot fight a war being politically correct. We cannot be a nice guy in a war. In a war, the nice guy always loses. The nice guy never wins in a war. We have to be in the war, we have to be in there tough, we have to be tenacious, we have to strike horribly against our enemy. We have to hit our enemy so hard they swear they would never want to see us again, never want to ever cross our path again.

When we tiptoe through the tulips, we are not made to go to war. This country has a war, here. This is not some far-off imagination of ours, this is a war that struck us in our homeland. We have to strike a horrible blow to those, I feel like calling them a horrible name, to those cancers, and I professionalize myself here on the floor and will not violate the rule. That is not what my gut says to call those people who brought across the ocean this horrible act against our country.

The fact is, they started this war. They are the ones responsible for casualties and consequential or collateral damages that occur here. We do not owe anybody any apologies. The United States of America did not start this war. The United States of America did not dare somebody to come and destroy the World Trade Center Towers, or strike the Pentagon.

The United States of America was the victim in this war, and now all of a sudden even U.S. citizens, I begin to sense some are becoming apologetic, politically correct, saying we have the Ramadan coming on, do not bomb during their holy holiday.

Do Members think those people would not have set off a nuclear weapon in this country on Christmas day? If we think that, we are crazy. These people will do whatever is necessary. Remember, most of the Muslims, by far, the largest number of Muslims killed so far in this engagement were killed

by the terrorists who struck the World Trade Towers and killed 400 or 800, I forget the exact number, but it is in that range, of Muslims and people that practice the Islam faith.

That is where those casualties came from: They killed their own people. These people, these terrorists and bin Laden preached that they are standing up for Islam, and as part apparently of their interpretation of Islam they can go at will, at their choosing, at their timing, and kill other people of the faith. That is exactly what they did in New York City. That is exactly what they did at the Pentagon.

Now people are saying we should handle these people politically correctly? We should tiptoe through the tulips for these people? I will get into that in more detail, too. I anticipate having a full evening in this discussion with these topics. Let us go back and let us start with the airline bailout bill.

The airline bailout bill was about $15 billion. We face a situation which the airlines in this country have never faced in their history. No airline in the history of airline aviation has suffered two crashes, two crashes caused by an act of terrorism that hit a domestic target; two targets, two airplanes, two sets of terrorists, and a domestic target and thousands and thousands of casualties. United Airlines and American Airlines both suffered that fate on the same day, September 11.

□ 2230

We all know the facts. We know what happened there. It brought the airline industry to their knees, but it almost brought them right on the verge of collapse. The United States Government for the protection of its citizens ordered that all airlines cease business for several days. And the consequences of that terrorist attack are obvious to all of us.

Today I flew in on a plane in Denver, Colorado. It was United Airlines plane, a 737. My guess is it had the capacity to hold 120 passengers, I guess. We had 10 or 12 passengers outside of the crew on that airplane.

The consequences of that act of September 11 are devastating to the airline industry. Now it has been devastating to a lot of us and to a lot of economic factors in our society. But this society of ours, this Nation of ours, the security of this Nation, the business of this Nation, the ability to move around in this Nation is very, very dependent on an efficient airliner service. So it is to the best interest of all of us that we keep the airlines, at least kept them from the verge of collapse.

Sure we ought to let the Adam Smith philosophy of the market take place. I am a big fan of Adam Smith. I think he is right. But there are appropriate times for the government to step in. I believed when United Airlines talked and when the other airlines talked to us, I believed, even though some of my colleagues debated on the other side of the issue, I believed that this money would be well spent and that the airlines would exercise their responsibility in the utilization of this kind of money, and that the airlines would realize that they have a debt, not just to the stockholders as a corporation, but that they also have some responsibility to this Nation, that they too have to pitch in and be good neighbors. And a lot of those airlines did it, Jet Blue, American, some of these others, they have come, and they have risen to that responsibility.

What happened over at United Airlines? United Airlines has a chief executive officer which I think has run that airline into the ground. His name is Goodwin.

Well, Goodwin has been with United Airlines for 34 years. That is a lot of years of service. He has successfully done more to bring an airline to the verge of collapse than any airline executive I have known for a number of years. So over the weekend United Airlines decided because the capability of Mr. Goodwin to run United Airlines has been severely diminished by his own shortcomings, they decided they needed to pay the guy to leave. I want to give you an idea.

Some of the people who opposed the airline bailout bill said this money is just going to fatten the pockets of the chief executive officers. I felt, come on, give the airlines a break. Frankly, several of airlines, including United Airlines, froze the salaries of their executives. And I think that is good will that has been put forth by some of these airlines. But while they froze the pay of some of these executives, look at what United Airlines just did today.

By the way, I wanted to compare it. This morning I talked with a United employee in Denver, Colorado who had been with the company for 30-some years. Let us just call it 30 years. This particular employee was at the desk. I guess it is a ticket agent, an agent at the desk for United Airlines. This particular person was a 30-year employee over here to my left on this poster. Her retirement after spending 30 years with the airline is $2,000 per month which is approximately $65 a day. For the rest of her life she will receive approximately $65 a day. That is her retirement after serving for United with 30-plus years.

Now, she did not run that airline into the ground. She did not help contribute to the near demise of United Airlines. Her service has been recognized throughout by the company itself. Now ironically, her retirement falls within two days of Mr. Goodwin's termination. Her time, her service with the company of 30-some years falls very close to the same time and service with the company that Mr. Goodwin's does.

Now let us take a look at what United Airlines, after receiving assistance from the Federal Government to help bail them out, take a look at what that airline has just done to terminate their executive that has put their company on the verge of bankruptcy. I call it the United Airlines Bailout and then I move it over to Blowout after I saw this morning what the United Airlines has done for their executive.

They added 6 years of service to his retirement. Now, this employee over here spent 30-some years, 30 years and some months with United. When this individual was given a choice, frankly, 72 hours they wanted people over a certain time to retire, they did not offer to this individual to say, hey, we will move you from 30 years to 36 years. But they did it with their chief executive office. They went to Goodwin. Again, I want to stress how strongly I feel that Mr. Goodwin is where the buck stops. That is the individual who has brought this company to the verge of bankruptcy.

What do they do? They have given him 6 years added service. Although he did not work the 6 years, they will add it to his 34 years of service so his retirement treats him as if he had 40 years with United Airlines.

Now, what does that mean? That means that his pension will be $500,000 a year. That is his requirement; $500,000 a year for the rest of his life. What does that figure out to be?

Well, remember, my ticket agent over here that gets $65 a day for the rest of her life and this chief executive officer who almost runs the company into the ground will be making $1,400 a day. United Airlines agreed to pay him $1,400 a day every day for the rest of his life and his work is done with United. He walked out the door. That is not all.

Take a look: 611,450 stock options have been granted to this chief executive officer. This is a company that my colleagues here, that the House of Representatives, the U.S. Senate, the President of the United States has sent $15 billion to the airline industry and asked them to exercise responsibility in keeping their airlines above water and here is what they do: 611,450 stock options.

Now today those stock options are under water which means they have no value. But these stock options are for 10 years. So if there is any bet at all, if United recovers at all, imagine that every dollar of recovery that United has, his profit goes up $611,000. Every dollar that that United stock moves up from this point through the next 10 years, if it moves at all, he will make in proportion $611,000 for every dollar rise in that stock.

Now on top of it, it is not enough that United agreed to pay him $1,400 for every day for the rest of his life, United felt apparently that Mr. Goodwin who almost took their company into bankruptcy, Mr. Goodwin was not being treated well enough, so they decided to get him severance pay. What is that severance pay? Well, we cannot get an exact number. We think just to get him to walk out the door, they gave him $5 to $7 million. Here is your check for $5 to $7 million, Mr. Goodwin. Thanks for almost destroying the country. By the way, here is your $65

check, ma'am, for being a ticket agent at one of our counters for 30 years with United Airlines.

But it does not stop there for Mr. Goodwin. They continue to go on. Forty thousand more shares given to him on termination. So they give him $5 million in severance. They say they will pay him $1,400 a day every day for the rest of his life, and then on top of it because maybe his feelings have been hurt, the board throws in another 40,000 shares at today's values, another $700,000. That is not all. They decide just to make sure that Mr. Goodwin's future is well cared for, he get his membership at the country club.

Tell me when is the last time they ever bought a dinner at the country club for one of these employees, for one of the United Airline employees that was not in Mr. Goodwin's office. So they agree to keep his membership in the country club. They agree to provide him with a company car. They agree to continue to provide his life insurance.

Give me a break United Airlines. Where do you think your credibility is when some of us stand up and we are willing to take the heat that contrary to our philosophy and our support of Adam Smith, we decide to go out on a limb on your behalf and every other airliners behalf to try to save the airline industry as a result of the tragedy on September 11? This is what we are beginning to find out. This is where some of this money is going.

Where is your credibility, United?

I was really disgusted, and that is a strong word, but that is how I felt this morning. It just was ironic that I happened to run into that ticket agent whose last day is tomorrow after 30 years and to see she is going to be paid $65 a day for doing a good job for United Airlines, and then United Airlines turns around to the individual who has almost turned that company, and I would not be surprised if that company does go into bankruptcy, but to that individual who has almost driven that company into bankruptcy, they will pay him $1,400 a day, $5 million check on the way out, maybe a $7 million check on the way out, $700,000 for stock shares they just gave him that day. Go ahead. We will keep you in the country club. And, by the way, that car you are driving our there, we will pay for the car, the gas, et cetera, et cetera.

No wonder people feel there is some sort of class division in the country. No wonder people feel there is a little injustice. No wonder Congressmen like myself end up biting their tongue and having second thoughts about this airline bailout, and whether or not this money is really going where it needs to go, and that is to keep a healthy airline industry from collapsing through the floor as a result of acts of the terrorism against this country.

Let me move on from my dismay with the way that United Airlines has handled this situation and talk about profiling.

I think profiling is a pretty interesting subject. Recently I have heard politically correct shows and some of my colleagues here on the floor, do not dare reach out and profile people at the border. Do not profile people on the street. Profiling should have no place in law enforcement.

Yes, it is pretty ironic to hear that kind of argument. Profiling is used at every stage of our life. Everywhere you go. Everyone on this floor uses profiling. We use profiling in our own campaigns. We go out to our district and we have experts that come in, we have polsters that come in and they say, all right, in this age group, 18 to 23, we know this percentage of these people are going to register and, of the registered, these percentage of people are going to vote; and that percentage routinely is pretty low in your district. But over here that age group, 45 to 50, and they may be white male, they may be Hispanic, Irish, whatever it is, they tend to go along more with your issues. They have a much higher voter turnout. So we want you to target this age group. Do not go after the age 18 to 21 because there is not a high enough percentage.

They will tell you, go after the white male or the single parent or the head of household or the person that brings the income in, the income earner. They are very targeted. They profile in our own campaigns; and every one of my colleagues has been the beneficiary of this kind of profiling.

We use profiling with insurance. We know, for example, that if you have a young man who is between the ages of say 16 and 23 that that individual is more likely to drink and drive, more likely to drive a car at a high speed and much more likely to run a stop sign than somebody that is 45 to 50 years old. And as a result of that kind of profiling, we can determine where our higher risks are and we can adjust for that in regards to the insurance premiums that we charge.

So we use it in our campaigns. We use it to determine insurance. We use it to determine risks. We use it in schools, our testing mechanisms. We test and we profile. We profile in our school neighborhoods. We profile to see which particular segment of population, whether it is a white at certain poverty level, whether it is black, whether it is mixture, whether it is geographic location, et cetera, et cetera, we put a bunch of factors in there so we can determine which kind of education will get the best results and be the most benefit to that particular profile group.

So we use profiling for campaigns, we use profiling for insurance, we use profiling in our educational institutions.

Do not let the newspapers who run these editorials, some of the liberal newspapers in this Nation, who run editorials about profiling and how bad profiling is. Man, talk about hypocritical.

□ 2245

Take a look at that newspaper and see what kind of profiling they do, what kinds of marketing they do to figure out where their advertisers are, where their market is, who is going to buy their newspapers, who reads the sports page. Any newspaper in this country will tell you very accurately what percentage of their readers read their editorials, what percentage of their readers read the sports section, which is the most read page in the newspaper, what age segment reads the sports section. They probably do not have a lot of people 70 and above that read the sports section. They may read the social page. But they know between about 12 and, say 35 that that is their main focus in a newspaper.

Newspapers profile. They have very dramatic profiles. It is smart business. Of course they do it. No matter where we look in our society we see profiling. Even sports teams, they profile. They know who goes to their games, they know who buys their tickets and who to appeal to. They know where to place their advertising. Even in recruiting their athletes, they know which areas are more likely to produce a better athlete than other areas. They use this profiling extensively.

So, for God's sake, why do we not use profiling to protect the national security of this Nation? Why are some people out there saying the politically correct thing to do is, well, all in all we better not profile at our borders, we better not stop somebody who is suspicious just based on the fact that they, let's say for example they are Arab, come from the Islam faith and come from a particular age bracket. Listen, we know those statistics. We can develop risk statistics from profiling.

Now, obviously, I do not support, and I do not know any of my colleagues on this floor, not one Democrat or one Republican, that supports profiling based solely on race. That is discrimination. Nobody questions that. We ought to have zero tolerance for that. In other words, we should not just go and say, hey, that individual is Irish or that individual is black so they must be a suspect. We only take that so far. I mean if we have a bank robbery and the description, the profile, of the bank robber is a white male between 19 and 24, why would we be in the black neighborhood interviewing black people to see if they were the bank robber? Clearly, at some point, we begin to profile. But that is one of the factors.

I do not want my colleagues or anyone to be drawn into signing a statement or acknowledging that, look, profiling has no place in a war against people that want to tear our guts out, against people that killed thousands and thousands of people at the New York World Trade Center, or over here at the Pentagon where they killed hundreds of people. We ought to use every weapon we have against these people.

We ought to be prepared to use whatever method, whatever weapon, whatever energies we have to win this battle. We cannot afford to be the nice guy here. Oh sure, war has kind of a parameter of what should be done, but the fact is that in that spectrum there is a lot of horrible things that happen in a war.

I wish we could avoid this war. I do not know anyone out there that wants to be engaged in the war we are in. I do not know anyone that chose to have us get into the predicament that we are in today. Maybe there are some out there, I hope not, but I do not know many people out there that think we had this coming. This is a war that was brought upon us. The United States did not strike out against anyone. Thank goodness we are too great a Nation to do that. We do not do those kinds of acts of terrorism. But when somebody strikes at the United States, the kind of blow they dealt us on September 11, and we have felt every hour and every minute and every day since September 11, we need to strike back with a horrible, horrible swift sword.

Now, there are a lot of people out there that are counting on the fact that the United States of America might be too timid to strike back and that the United States of America just does not have the resolve to strike hard, that there is going to be a little pretend bombing over here, hit a soft target there, and a soft target there and declare a victory. Well, thank goodness we have an administration that in my opinion is not going to go by that playbook. This administration, in my opinion, George W. Bush, Cheney, Rumsfeld, Condoleezza Rice, these people, they understand we are engaged in a war.

We cannot stop a war for the holidays. The Taliban would not stop for us. The Taliban wants one thing: They want every man, woman and child in the United States of America destroyed. They do not want to save the children of the United States. They do not want to avoid the loss of children. They do not want to save Muslims in the United States of America. They do not want to save the people of the Islam faith in the United States of America. They want to destroy them simply because of the fact that they are in the United States of America. You can take that to the bank.

Take a look at what happened at the World Trade Center. There were many people of the Islam faith that were destroyed and their families destroyed through the consequences of these actions. We had many Muslims that may not even have been of the Islamic faith that were destroyed, that were killed. They were slaughtered in New York City. So do not give this Taliban or ben Laden any kind of badge of courage. Do not give him any kind of credibility because you think they fight with honor. They do not fight with honor. They fight with cheap shots. They would just as soon gut you in the back as to fight you face-to-face.

That is the kind of war we are engaged in with these people. This is a tough situation that we have. We have to use the weapons and the tools that are available to us. There is a vast array of those, but the one I am focusing on here is profiling. Again, let me reiterate that profiling based solely, and the only reason to do it is to discriminate, we do not tolerate. That is not what I am talking about, and I do not know anyone who supports that.

But let me just say that we had 19 hijackers. Of those 19 hijackers, 19 of them were Arab. Of those 19, they were all within a certain age range. Of that, they were all male. All 19 were male. Of that, they were all active in this fundamentalist Islam faith. Not representative, by the way, of the general Islam faith, but active in a fundamentalist, corrupted, perverted view of that. So we can begin to put a profile together and we ought to be looking at people who fit in that category. If there are people that fit into that kind of category who attempt to cross the borders of the United States, we ought to pull them aside and ask them some questions. Obviously, we ought to detain them. Of course we should refuse them entrance into this country if they fit within certain risk factors. We would be crazy not to.

Let me reiterate that this kind of profiling is used in every stage of our life, even when we are born. What happens when a baby is born? They figure out how much the baby weighs, they figure out what the race is, they figure out if the parents are married. They send all this information in for statistical gathering. That is how we can determine, for example, in parts of the country, where we have a lot of unwed mothers. We profile unwed mothers. We go in and say, why do we have so many unwed mothers. Why do we have such a high level of teenage pregnancies. We profile it. We go out and figure out, okay, what can we do to alleviate teenage pregnancies like we have. We put it to a beneficial use.

My premise here this evening is that we can put to a beneficial use for the protection of the national security of this Nation profiling. So do not run away from it when a discussion is had on it. And my colleagues will hear about it back in their districts. I was asked the question, and when I started with my response, the reporter that was talking to me said, boy, you are taking on a hot potato. Do you really want to go into this kind of detail on profiling?

Do not run from it. We have to use it. My problem, again coming back, we cannot take this so-called theory of political correctness from the far left liberal side of the spectrum and let that determine whether or not we are going to use that tool to protect this Nation's security. The question here is can we reasonably and in compliance with the Constitution of the United States profile and use it as a weapon of our choice and a weapon for our benefit? Absolutely. The answer is absolutely yes. And every law enforcement agency in this country ought to use profiling as a tool for their assistance.

Again, do not let people try to drag you into, well, you must mean race profiling, or you are out to go and get the Irish or the African Americans. That is not what we are talking about. That is a nice side show, that is a nice diversion, but that is not the focus here. The focus here is the security of the United States of America. The focus is what tool do we have that we can use, and that is why I feel so strongly about standing up when we participate in discussions on profiling to tell the other side of it. Tell why it is important.

Take a look in our society and have discussions about where we use profiling and the benefits of profiling, because there are a lot of benefits of profiling. We have huge benefits, particularly if we profile and one of these people shows up at our borders and they fall within that risk category, and we are able to stop an act of terrorism. We have plenty of evidence to do it.

By the way, most countries use profiling. Regardless of how wide you want to use it, a lot of countries are using racial profiling. They use whatever profiling they darn well feel like using. I am not saying we should stoop to that, but I am saying that it has proved to be an effective weapon.

They stopped the bombing of, I think it was a Swedish airline about 15 years ago. A lady walks up and she fits into the category because she bought her ticket with cash. Bing. One element of the profile. She had no check-in baggage. Bing. She is going here with no check-in baggage, and she was going transcontinental. So they asked her where she was going. She said my destination is here. They said, we know that, you bought the ticket. How long are you going to stay there? Oh, three weeks. She has one little tiny bag, no check-in bags. She falls within a certain age that they know they have had problems with. Bing, bing, bing, bing. This profile begins to set itself up. It alerts them, so they ask her some more questions, this and that. All it does is bring up more red flags. Then they search her. Guess what they find? When the suitcase is emptied and they weigh it, it weighs more than an empty suitcase should weigh. Sure enough, they find a false bottom and it is filled with high-level plastic explosives intended to blow that airline out of the sky.

We better profile. It is to our benefit and to the benefit of this Nation's security. It is to all our benefit, no matter what background we are, to go to war with every tool that we can use.

Now, let me move on very briefly and discuss our borders. I want to give some statistics that I think are pretty interesting. Our borders are crossed 500 million times a year. Five hundred million times a year through 300 checkpoints we have people coming across those borders. Now, the largest number

of people coming across the borders are tourists. The largest number by far, 99.9999 percent of the people that come into this country come in with good intentions. So how do we focus on that very, very small percentage? How do we get our sights on that very small percentage with the minimal impairment to the larger percentage while still accomplishing the security for the national interest?

It is a tough job. Just imagine trying to track 500 million crossings a year. I am not sure we have the technical capability. We certainly do not have the technical capability in place today to do it. Maybe we will have that technical capability within a few years, but not today. So the question comes up, should we continue to let the 500 million crossings occur every year or should we begin to clamp down on who comes across that border?

Now, I have a basic test, a litmus test, as to how to come across that border. My feeling is that I ought to treat it like somebody who wants to come into my house. When somebody knocks at the door of our house, rings the doorbell of our house, we look out the peephole. In other words, we do not allow them to come in right off the bat. We size them up, kind of profile them, look at them. We say, maybe we should ask this person a couple of questions. Then we may open the door but still not let them in the house yet. If I know them, I welcome them in. If I feel comfortable with them, I welcome them in. If they meet certain standards, I welcome them in. Obviously, if they fit the profile of a newspaper delivery person, and I know the person and they come by every time of the month about this period of time to collect a fee, I let them in the house and I give them a Coke or a Pepsi or something.

So what we ought to do here is look at our borders. I think for a temporary period of time we have to really clamp down on our borders until we begin to make significant strides in regards to this war. Right now that percentage of people that wants to do significant harm to the United States of America has grown rather dramatically. As we know, this United States of America is now under a national alert for an act of terrorism.

□ 2300

Mr. Speaker, I can tell Members that the likelihood of that act of terrorism, we can go ahead and put together what that group would look like. Number one, they probably are not native born United States citizens. Number two, they probably have come across the borders in the last year or two. Number three, they probably had a background that if checked significantly, we would find that these are not the kind of people that we would want to let in our house or country.

I am not saying close the borders. That is not what I am saying here. Almost all of us are beneficiaries of the immigration policy of this Nation. I am saying in order for the immigration policy to work, we have to have rules of the game, and we have to enforce the rules. When we have somebody who violates the rules, we cannot let them continue playing the game if they are going to continue to violate the rules. You have to have enforcement of the rules and enforcement of immigration policy of this country.

Clearly if there has ever been a demand for enforcement of the policy currently in existence, it is right now. We have 3 or 4 million people a year come across our borders on visas, and they stay after their visas expire. Three or 4 million people a year stay in this country even when the rules of the game say you have stayed all you are allowed, now you have to go home. It is similar to a guest coming to your home for an hour for lunch, and pretty soon they are intending to spend the night.

The INS is doing a good job, but the reality is that the INS has two things they have been trying to do. One is to keep foreigners from turning into illegal U.S. residents. Two, to investigate domestic crimes involving foreigners. As quoted here, keeping track of foreigners' whereabouts in this country was not considered anyone's job. We have allowed these lax policies for much, much too long. It makes a lot of practical sense that one of the tools and one of the weapons that we can use in this war that we are engaged in is to tighten our borders.

That means the utilization of profiling. That means if somebody has a student visa, that we require that university confirm that person's presence, we set up a tracking system. That means that we start saying no to people. It means that we start getting numbers of people that we allow across our borders so we can manage. There was an ad, I do not know if it is still running on television or not, but some people set up a business on the Internet. They are waiting for their first order. They are worried. They have put in all of this investment, and all of a sudden order number one comes in. That is not much, but at least we got one order on the first day of business. All of a sudden 2, 3, 4. All of a sudden a hundred orders come across. They are smiling and happy. All of a sudden it does not stop and it goes to 1,000 orders to 10,000 orders to 100,000 orders. They are in panic. We cannot possibly manage 100,000 orders. We cannot manage it.

Mr. Speaker, the same thing is happening on our borders. Most people in the world dream of coming to the United States of America. A lot want to live here. It is the only country in the world where we do not have a problem keeping people. We cannot open the borders in such a way that the numbers are so huge we cannot manage them.

Today that is exactly where we are. We have so many people coming across the borders that we cannot manage it. We need to reduce those numbers so that it is at least manageable. So that we know that people that come across our border, those 3 million people that currently every year come across the border and do not go home when they are supposed to, that we can begin to develop management tools to fill that gap. That is one of the weapons we can use in our war against terrorism.

Mr. Speaker, I know it is not politically correct to talk about we had better cut down on our immigration. I know it is not politically correct to talk about tightening our borders, but we got a real dose of reality on September 11. We woke up in the morning leading a normal life, and those of us fortunate enough to be alive at the end of the day got a real wake-up call.

We have to change our management practices, and one of the management practices we have to change are our borders which have become unmanageable. There are other things we have to change. You notice people agree across the board that we have to change the check-in procedure and security at our airports and nuclear facilities. Members will notice that Secretary Mineta today ordered no flying of aircraft by nuclear plants, et cetera, et cetera. We are changing our management practices. We need to change our management practices in regards to these immigration policies.

Now the President, of course, has taken the lead on this. Yesterday the President talked about student visas. We have a big problem with student visas. We have a lot of people who never show up at the schools. Student visas have kind of become the popular tool of choice to get into America, and then not have to worry about being held accountable to anybody.

Frankly, we have some universities, institutions of higher education, that depend very heavily on student visas because of the tuition that they charge foreign visitors. Those golden days will have to come to an end, despite the lobbying up here on the hill to leave student visas alone. We ought to stop the abuses, limit the number of student visas that we grant until we can get a management grasp on it. That is what I am asking for. Get it in our control.

I think we should quit hesitating about what we do allowing students of countries that mean us harm. Do you think we ought to allow students of Libya or some of these other countries, Iran, Iraq, to come into this Nation? Should we educate them and train them how to fly planes? There are a lot of foreign students taking airline pilot instruction courses in this country as I speak this hour. We should not be ashamed of saying no to some people, and we should not be so worried about being politically correct that when we see someone from a country that is listed as a terrorist country, we ought to have enough guts to say at the border, You are not coming over here for your education and taking the benefit of our society to later on down the road turn against our society.

The National Journal, October 27, 2001 reported on a bill over on the Senate side which will require the airlines to submit their international passenger lists to the INS in advance so names can be run through the agency's look-out system.

Well, today most airlines voluntarily submit those lists. Today most airlines, notice I say most, voluntarily give their list to the INS to see if there is anybody on that list that is on a suspect listing or on the look-out system.

□ 2310

Guess which airlines that fly into the United States refuse to turn their lists over to the INS? Egypt, Jordan, Kuwait, Pakistan and Saudi Arabia. My response to that is if the airline coming out of Saudi Arabia, if the airline coming out of Kuwait, if the airline coming out of Egypt, if the airline coming out of Pakistan does not want to give us the list of their passengers that are flying into the United States of America, landing in an airport in the United States of America, to be dispersed once they get off the airplane into the cities of the United States of America, we should not allow those airlines to land in the United States. We are not asking too much to go to these airlines and say, we want your list. We want to know who you are bringing into this country. Is that asking too much? I do not think so. Just another example of sloppy management.

I want to commend the President. Yesterday he made comments about the tightening we need to take on these borders. He talked about student visas. The President and the administration is on the right track and he deserves the support of the United States Congress.

Let me move on to some final points I want to make, and that is about the battle that we are engaged in. I notice in the last week, there has been a lot of publicity about, gosh, maybe we're stuck in Afghanistan, maybe we're not accomplishing militarily what we hoped to accomplish. You know what people are doing, we are comparing the first few days. We controlled all the airspace over Afghanistan within 3 days. It is always when you go to pick fruit, at least when I picked fruit, when somebody hired me especially to pick fruit, I always filled my basket. The easiest time to fill a basket was when I first got to the tree because that was the fruit that hung the lowest. That was easy pickings. So the first couple of bushels came real fast. But when I had to get to the third and fourth bushel, it took a lot more work. It was not because I was bogged down in the apple tree, it was because of the fact you had to exert a little more energy. You had to climb up into the limbs, you had to reach out, you had to hunt those apples. You did not have four our five apples hanging where you could just put them right in the basket. You had to get up in the tree, you had to reach, you had to move the limbs to find them. That is exactly what we are engaged in right now. Do not try and urge the President to stop this war, or to slow down this bombing for some holiday that these terrorists would use simply as a shield to rebuild, take a fresh breath and recoordinate their strategies. We have got to go after those guys and gals that have instigated such horrible damage to this Nation. Actually the worst thing we can do and the best thing that could happen to them is for American people to begin to lose faith in the military effort that our administration is carrying forward. These are not tough warriors when you are able to get them out of their caves person to person. We will destroy them. There is no question about it. If you got them out of their caves, you got them in an open field, we destroy them. There is not even a contest there. Some people think that these Taliban fighters are supermen. They are not supermen. They have emotions. They are susceptible. I would much rather have our weapons than have their weapons. The fact is we have to locate them. They have extensive cave networks. They hide in the mosques. They hide in the schools. They move their weapons so that if you try and get them or their weapons, you have got to kill some of their civilians. That is exactly the kind of strategy they are using.

There is one other strategy they are using against the United States. When it comes down to it, they do not think the United States of America has the resolve to go after them. They think all they have to do is take a couple of Americans, capture them, skin them alive, torture them, send their bodies back in body bags and that the American people will lose their resolve to win this war against terrorism. If that happened, it would be the greatest military victory probably in history for an organization like the Taliban. It would be a huge defeat for the United States of America, because you are not eliminating the cancer. The Taliban is a cancer. If you do not get rid of that cancer, it will come back and it will come back in a harsher form than you ever believed it could return in. We have got to destroy the Taliban.

Last Friday, I think, in the Wall Street Journal, Senator MCCAIN, our colleague, wrote an excellent article about victory, victory in a war. This is a war. I would suggest to my colleagues, read this article. It is excellent. It talks about that war is dirty, that the consequences of war are horrible, but Winston Churchill once said, the only thing worse than war is losing it, and that is exactly what we face tonight. The only thing worse for us than this war that we are currently engaged in is to lose it. Do not try and urge our Armed Forces to lay down their arms until the job is finished. Support the administration until the job is finished. The President stood right here on this floor, right here at this podium, and he told us and he told the American people, this battle will be a long battle. This battle will be an intense battle. But that we have hereby resolved that we will eliminate terrorism, that we will fight this war. And so 4 weeks into it, I see some commentators saying, gosh, are you spinning your wheels? Are you stuck? How come we haven't wiped out the Taliban? How come you haven't found that miserable little guy in this cave somewhere? Give me a break. These are the very commentators that ought to drop that type of comment and ought to be saying, what can we do to help? This is our country, too.

I heard a commentator the other day that said, we have responsibilities in the media, to remember that yes, we are Americans, but we should not let that take away from the point that we should be a neutral party and that our obligation is to report the news. It sounded as though if you are a journalist, that you have a higher calling than being an American, you have a higher calling and that is of a journalist. And if it means that you leave the auspices of sanctity of your country to complete your job, that is the necessity of being a journalist. I could not disagree with that respected journalist more.

I do not care whether you are a journalist or a Congressman or whether you wash windows or drive taxis, America comes first. Your country comes first. Your obligation is not to your profession, your obligation is to your Nation. You need to stand for your Nation. We need to support our administration, and obviously our military troops, to carry out this mission until we win. Not until the Ramadan holiday starts. That was not a part of war. We need to carry this mission out until we destroy the enemy, until we cut their heads off, until we are so savage to these people, so horrible to the enemy that the enemy will never again have a future under which they would consider attacking the United States of America. The price that they will pay has to be so high that they never ever again want to be in that war. That is what we have got to do. We have a mission. Every citizen in America has this mission, and, that is, your country comes first. The values and the principles of America have never been matched in the history of this world. Never has there been a country as great as our country. Never has a country done as much for the poor people of the world as the United States of America. Never has a country gone to more aid and assistance and gone to war across vast oceans to help friends. Never has a country contributed more to health care, to education, to industrialization than the United States of America. The United States of America does not deserve what occurred, what has happened. But the United States of America must accept the fact that it has happened and that the United States of America must respond with a

horrible, horrible sword, because anything short of it will make you think of what Winston Churchill said, and, that is, the only thing worse than war is to lose it. For our generation and for all future generations, we cannot afford to lose this war.

□ 2320

CONFERENCE REPORT ON H.R. 2311, ENERGY AND WATER DEVELOPMENT APPROPRIATIONS ACT, 2002

Mr. CALLAHAN submitted the following conference report and statement on the bill (H.R. 2311) making appropriations for energy and water development for the fiscal year ending September 30, 2002, and for other purposes:

CONFERENCE REPORT (H. REPT. 107–258)

The committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 2311) ''making appropriations for energy and water development for the fiscal year ending September 30, 2002, 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 House recede from its disagreement to the amendment of the Senate, and agree to the same with an amendment, as follows:

In lieu of the matter stricken and inserted by said amendment, insert:

That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the fiscal year ending September 30, 2002, for energy and water development, and for other purposes, namely:

TITLE I

DEPARTMENT OF DEFENSE—CIVIL

DEPARTMENT OF THE ARMY

CORPS OF ENGINEERS—CIVIL

The following appropriations shall be expended under the direction of the Secretary of the Army and the supervision of the Chief of Engineers for authorized civil functions of the Department of the Army pertaining to rivers and harbors, flood control, beach erosion, and related purposes.

GENERAL INVESTIGATIONS

For expenses necessary for the collection and study of basic information pertaining to river and harbor, flood control, shore protection, and related projects, restudy of authorized projects, miscellaneous investigations, and, when authorized by laws, surveys and detailed studies and plans and specifications of projects prior to construction, $154,350,000, to remain available until expended: Provided, That the Secretary of the Army, acting through the Chief of Engineers, is directed to use funds appropriated herein to continue preconstruction engineering and design of the Murrieta Creek, California, flood protection and environmental enhancement project and is further directed to continue with the project in accordance with cost sharing established for the Murrieta Creek project in Public Law 106–377: Provided further, That the Secretary of the Army, acting through the Chief of Engineers, is directed to use the feasibility report prepared under the authority of section 205 of the Flood Control Act of 1948, as amended, as the basis for the Rock Creek-Keefer Slough Flood Control Project, Butte County, California, and is further directed to use funds appropriated herein for preconstruction engineering and design of the project: Provided further, That in conducting the Southwest Valley Flood Damage Reduction Study, Albuquerque, New Mexico, the Secretary of the Army, acting through the Chief of Engineers, shall include an evaluation of flood damage reduction measures that would otherwise be excluded from the feasibility analysis based on policies regarding the frequency of flooding, the drainage areas, and the amount of runoff: Provided further, That the Secretary of the Army, acting through the Chief of Engineers, is directed to conduct studies for flood damage reduction, environmental protection, environmental restoration, water supply, water quality, and other purposes in Tuscaloosa County, Alabama, and shall provide a comprehensive plan for the development, conservation, disposal, and utilization of water and related land resources, for flood damage reduction and allied purposes, including the determination of the need for a reservoir to satisfy municipal and industrial water supply needs: Provided further, That using $1,000,000 of the funds provided herein, the Secretary of the Army, acting through the Chief of Engineers, is directed to conduct a comprehensive watershed study at full Federal expense to provide a framework for implementing activities to improve environmental quality of the Lake Tahoe Basin and the Secretary shall submit a feasibility level report within 30 months of enactment of this Act: Provided further, That Appendix D, Chapter 5 of Public Law 106–554 is amended in the last sentence under the subheading titled ''General Investigations'' by striking ''a cost shared feasibility study of'' and inserting ''planning, engineering and design activities for''.

CONSTRUCTION, GENERAL

For the prosecution of river and harbor, flood control, shore protection, and related projects authorized by laws; and detailed studies, and plans and specifications, of projects (including those for development with participation or under consideration for participation by States, local governments, or private groups) authorized or made eligible for selection by law (but such studies shall not constitute a commitment of the Government to construction), $1,715,951,000, to remain available until expended, of which such sums as are necessary for the Federal share of construction costs for facilities under the Dredged Material Disposal Facilities program shall be derived from the Harbor Maintenance Trust Fund, as authorized by Public Law 104–303; and of which such sums as are necessary pursuant to Public Law 99–662 shall be derived from the Inland Waterways Trust Fund, for one-half of the costs of construction and rehabilitation of inland waterways projects, including rehabilitation costs for the Lock and Dam 11, Mississippi River, Iowa; Lock and Dam 12, Mississippi River, Iowa; Lock and Dam 24, Mississippi River, Illinois and Missouri; Lock and Dam 3, Mississippi River, Minnesota; and London Locks and Dam, Kanawha River, West Virginia, projects; and of which funds are provided for the following projects in the amounts specified:

San Timoteo Creek (Santa Ana River Mainstem), California, $8,000,000;

Indianapolis Central Waterfront, Indiana, $9,000,000;

Southern and Eastern Kentucky, Kentucky, $4,000,000;

Clover Fork, City of Cumberland, Town of Martin, Pike County (including Levisa Fork and Tug Fork Tributaries), Bell County, Floyd County, Martin County, and Harlan County, Kentucky, elements of the Levisa and Tug Forks of the Big Sandy River and Upper Cumberland River, Kentucky, $15,450,000; and

Lower Mingo County (Kermit), Upper Mingo County (including County Tributaries), Wayne County, and McDowell County, West Virginia, elements of the Levisa and Tug Forks of the Big Sandy River and Upper Cumberland River project, $5,900,000:

Provided, That using $1,000,000 of the funds appropriated herein, the Secretary of the Army, acting through the Chief of Engineers, is directed to modify the Carr Creek Lake, Kentucky, project at full Federal expense to provide additional water supply storage for the Upper Kentucky River Basin: Provided further, That with $1,200,000 of the funds appropriated herein, the Secretary of the Army, acting through the Chief of Engineers, is directed to undertake design deficiency repairs to the Bois Brule Drainage and Levee District, Missouri, project, authorized and constructed under the authority of the Flood Control Act of 1936 with cost sharing consistent with the original project authorization: Provided further, That in accordance with section 332 of the Water Resources Development Act of 1999, the Secretary of the Army is directed to increase the authorized level of protection of the Bois Brule Drainage and Levee District, Missouri, project from 50 years to 100 years using $700,000 of the funds appropriated herein, and the project costs allocated to the incremental increase in the level of protection shall be cost shared consistent with section 103(a) of the Water Resources Development Act of 1986, notwithstanding section 202(a) of the Water Resources Development Act of 1996: Provided further, That using $200,000 of the funds provided herein, the Secretary of the Army, acting through the Chief of Engineers, is directed to conduct, at full Federal expense, technical studies of individual ditch systems identified by the State of Hawaii, and to assist the State in diversification by helping to define the cost of repairing and maintaining selected ditch systems: Provided further, That the Secretary of the Army, acting through the Chief of Engineers, is directed to use $1,300,000 of the funds appropriated herein to continue construction of the navigation project at Kaumalapau Harbor, Hawaii: Provided further, That with $800,000 of the funds provided herein, the Secretary of the Army, acting through the Chief of Engineers, is directed to continue preparation of a General Reevaluation Report of the Oak Island, Caswell Beach, and Holden Beach segments of the Brunswick County Beaches project in North Carolina: Provided further, That the Secretary of the Army, acting through the Chief of Engineers, is directed to use $500,000 to undertake the Bowie County Levee Project, which is defined as Alternative B Local Sponsor Option, in the Corps of Engineers document entitled Bowie County Local Flood Protection, Red River, Texas, Project Design Memorandum No. 1, Bowie County Levee, dated April 1997: Provided further, That the Secretary of the Army is directed to use $4,000,000 of the funds provided herein for the Dam Safety and Seepage/Stability Correction Program to continue construction of seepage control features at Waterbury Dam, Vermont: Provided further, That the Secretary of the Army, acting through the Chief of Engineers, using up to $200,000 of the funds provided herein, is directed to complete the Aloha-Rigolette, Louisiana, project at full Federal expense: Provided further, That using $500,000 of the funds provided herein, the Secretary of the Army, acting through the Chief of Engineers, is directed to proceed with the Shoalwater Bay Shoreline, Washington, project: Provided further, That all studies for the Shoalwater Bay Shoreline project shall be cost shared in the same proportion as the construction implementation costs: Provided further, That using $2,500,000 of the funds provided herein, the Secretary of the Army, acting through the Chief of Engineers, is directed to proceed with a final design and initiate construction for the repair and replacement of the Jicarilla Municipal Water System in the town of Dulce, New Mexico: Provided further, That using $750,000 of the funds provided herein, the Secretary of the Army, acting through the Chief of Engineers, is directed to proceed with the Missouri river Restoration Project and that erosion control measures implemented shall be primarily through nonstructural

means such as planting of native vegetation, buffer strips, conservation easements, setbacks, and agricultural best management practices: Provided further, That with $10,000,000 of the funds provided herein, the Secretary of the Army, acting through the Chief of Engineers, is directed to construct the Dallas Floodway Extension, Texas, project, including the Cadillac Heights feature, generally in accordance with the Chief of Engineers report dated December 7, 1999: Provided further, That the deadline for the report required under section 154(g) of Public Law 106–554 is extended to December 31, 2002: Provided further, That the Secretary of the Army, acting through the Chief of Engineers, is directed to use unexpended funds appropriated in Public Law 105–62, under the heading Construction, General for Salyersville, Kentucky, to construct additional recreation improvements at the Buckhorn Lake, Kentucky, project: Provided further, That using $1,000,000 of the funds provided herein, the Secretary of the Army, acting through the Chief of Engineers, is directed to initiate construction on the Seward Harbor, Alaska, project in accordance with the Report of the Chief of Engineers dated June 8, 1999 and the economic justification contained therein: Provided further, That the Secretary of the Army, acting through the Chief of Engineers, is directed to use up to $900,000 of funds previously appropriated to reimburse the City of Venice, Florida, for the costs incurred by the City prior to October 1998 for work accomplished by the City related to the relocation of the stormwater outfalls and the construction of the artificial reef that comprises an integral part of the project for beach nourishment, in Sarasota County, Florida: Provided further, That the Secretary of the Army, acting through the Chief of Engineers, is directed to use funds appropriated herein, for emergency bank stabilization measures at Lakeshore Park in Knoxville, Tennessee: Provided further, That the Secretary of the Army, acting through the Chief of Engineers, is directed to continue the Dickenson County Detailed Project Report as generally defined in Plan 4 of the Huntington District Engineer's Draft Supplement to the Section 202 General Plan for Flood Damage Reduction dated April 1997, including all Russell Fork tributary streams within the County and special considerations as may be appropriate to address the unique relocations and resettlement needs for the flood prone communities within the County: Provided further, That, with respect to the environmental infrastructure project in Lebanon, New Hampshire, for which funds are made available under this heading, the non-Federal interest shall receive credit toward the non-Federal share of the cost of the project for work performed before the date of execution of the project cooperation agreement, if the Secretary determines the work is integral to the project: Provided further, That, for the Raritan River Basin, Green Brook Sub-Basin, New Jersey, project, the Secretary of the Army, acting through the Chief of Engineers, is directed to implement the locally preferred plan for the element in the western portion of Middlesex Borough, New Jersey, which includes the buyout of up to 22 homes, the flood proofing of four commercial buildings along Prospect Place and Union Avenue, and the buyout of up to three commercial buildings along Raritan and Lincoln Avenues, at a total estimated cost of $15,000,000, with an estimated Federal cost of $11,500,000 and an estimated non-Federal cost of $3,500,000.

FLOOD CONTROL, MISSISSIPPI RIVER AND TRIBUTARIES, ARKANSAS, ILLINOIS, KENTUCKY, LOUISIANA, MISSISSIPPI, MISSOURI, AND TENNESSEE

For expenses necessary for prosecuting work of flood control, rescue work, repair, restoration, or maintenance of flood control projects threatened or destroyed by flood, as authorized by law (33 U.S.C. 702a and 702g–1), $345,992,000, to remain available until expended: Provided, That, the Secretary of the Army, acting through the Chief of Engineers, is directed to convey to the Board of Mississippi Levee Commissioners any and all fee owned real property interests deemed excess to Army needs for disposal by the U.S. Army Corps of Engineers at its Casting Plant and its Bank Grading and Mat Loading Fleeting Area located in Greenville, Mississippi. This real property shall be used by the Board of Mississippi Levee Commissioners for the operation and maintenance of the Mississippi River and Tributaries Project as it deems necessary.

OPERATION AND MAINTENANCE, GENERAL

For expenses necessary for the preservation, operation, maintenance, and care of existing river and harbor, flood control, and related works, including such sums as may be necessary for the maintenance of harbor channels provided by a State, municipality or other public agency, outside of harbor lines, and serving essential needs of general commerce and navigation; surveys and charting of northern and northwestern lakes and connecting waters; clearing and straightening channels; and removal of obstructions to navigation, $1,874,803,000, to remain available until expended, of which such sums as become available in the Harbor Maintenance Trust Fund, pursuant to Public Law 99–662, may be derived from that Fund, and of which such sums as become available from the special account established by the Land and Water Conservation Act of 1965, as amended (16 U.S.C. 460l), may be derived from that account for construction, operation, and maintenance of outdoor recreation facilities: Provided, That the Secretary of the Army, acting through the Chief of Engineers, is directed, within funds available for the Mobile Harbor, Alabama, project, to remove, transport, dispose, and remediate contaminated sediments in and adjacent to the Federal navigation projects for the Arlington Channel and the Garrows Bend Channel at Federal expense, and a non-Federal sponsor shall provide all necessary lands, easements, rights-of-way, and relocations that may be required for the disposal of dredged material: Provided further, That using funds appropriated herein, the Secretary of the Army, acting through the Chief of Engineers, is directed to perform cultural resource mitigation and recreation improvements at Waco Lake, Texas, at full Federal expense notwithstanding the provisions of the Water Supply Act of 1958: Provided further, That the Secretary of the Army, acting through the Chief of Engineers, is directed to use funds appropriated herein to grade the basin within the Hansen Dam feature of the Los Angeles County Drainage Area, California, project to enhance and maintain flood capacity and to provide for future use of the basin for compatible purposes consistent with the Master Plan, including recreation and environmental restoration: Provided further, That the Secretary of the Army, acting through the Chief of Engineers, is directed to use funds appropriated herein to fully investigate the development of an upland disposal site recycling program on the Black Warrior and Tombigbee Rivers, Alabama-Coosa Rivers, and the Mobile River projects: Provided further, That of funds appropriated herein for the Intracoastal Waterway, Delaware River to Chesapeake Bay, Delaware and Maryland, the Secretary of the Army, acting through the Chief of Engineers, is directed to reimburse the State of Delaware for normal operation and maintenance costs incurred by the State of Delaware for the SR1 Bridge from station 58+00 to station 293+00 between May 12, 1997 and September 30, 2002. Reimbursement costs shall not exceed $1,277,000: Provided further, That the Secretary of the Army, acting through the Chief of Engineers, is directed to use funds appropriated herein to remove and reinstall the docks and causeway, in kind, and continue breakwater repairs at Astoria East Boat Basin, Oregon: Provided further, That using funds appropriated herein, the Secretary of the Army, acting through the Chief of Engineers, is directed to dredge a channel from the mouth of Wheeling Creek to Tunnel Green Park in Wheeling, West Virginia: Provided further, That the project for the Apalachicola, Chattahoochee, and Flint Rivers Navigation, authorized by section 2 of the River and Harbor Act of March 2, 1945 (Public Law 79–14) and modified by the first section of the River and Harbor Act of 1946 (60 Stat. 635, chapter 595), is modified to authorize the Secretary, as part of navigation maintenance activities, to develop and implement a plan to be integrated into the long-term dredged material management plan being developed for the Corley Slough reach, as required by conditions of the State of Florida water quality certification, for periodically removing sandy dredged material from the disposal area known as Site 40, located at mile 36.5 of the Apalachicola River, and from other disposal sites that the Secretary may determine to be needed for the purpose of reuse of the disposal areas, by transporting and depositing the sand for environmentally acceptable beneficial uses in coastal areas of Florida to be determined in coordination with the State of Florida: Provided further, That the Secretary is authorized to acquire all lands, easements, and rights-of-way that may be determined by the Secretary, in consultation with the affected State, to be required for dredged material disposal areas to implement a long-term dredge material management plan: Provided further, That the long-term management plan shall be developed in coordination with the State of Florida no later than 2 years from the date of enactment of this Act: Provided further, That, of the funds provided herein, $4,900,000 shall be made available for these purposes and $8,000,000 shall be made available for normal operation and maintenance of the Apalachicola, Chattahoochee, and Flint Rivers navigation project.

FLOOD CONTROL AND COASTAL EMERGENCIES

(RESCISSION)

Of the funds made available under this heading in Public Law 107–20, $25,000,000 are hereby rescinded.

REGULATORY PROGRAM

For expenses necessary for administration of laws pertaining to regulation of navigable waters and wetlands, $127,000,000, to remain available until expended.

FORMERLY UTILIZED SITES REMEDIAL ACTION PROGRAM

For expenses necessary to clean up contamination from sites throughout the United States resulting from work performed as part of the Nation's early atomic energy program, $140,000,000, to remain available until expended.

GENERAL EXPENSES

For expenses necessary for general administration and related functions in the Office of the Chief of Engineers and offices of the Division Engineers, activities of the Humphreys Engineer Center Support Activity, the Institute for Water Resources, and headquarters support functions at the USACE Finance Center, $153,000,000, to remain available until expended: Provided, That no part of any other appropriation provided in title I of this Act shall be available to fund the activities of the Office of the Chief of Engineers or the executive direction and management activities of the division offices: Provided further, That none of these funds shall be available to support an office of congressional affairs within the executive office of the Chief of Engineers.

ADMINISTRATIVE PROVISIONS

Appropriations in this title shall be available for official reception and representation expenses (not to exceed $5,000); and during the current fiscal year the Revolving Fund, Corps of Engineers, shall be available for purchase (not to exceed 100 for replacement only) and hire of passenger motor vehicles.

GENERAL PROVISIONS

CORPS OF ENGINEERS—CIVIL

SEC. 101. (a) CONVEYANCE AUTHORIZED.—The Secretary of the Army shall convey to the Blue Township Fire District, Blue Township, Kansas, by quitclaim deed and without consideration, all right, title, and interest of the United States in and to a parcel of land consisting of approximately 4.35 acres located in Pottawatomie County, Tuttle Creek Lake, Kansas.

(b) 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.

(c) REVERSION.—If the Secretary determines that the property conveyed under subsection (a) ceases to be held in public ownership or to be used as a site for a fire station, all right, title, and interest in and to the property shall revert to the United States, at the option of the United States.

SEC. 102. For those shore protection projects funded in this Act which have Project Cooperation Agreements in place, the Secretary of the Army is directed to proceed with those projects in accordance with the cost sharing specified in the Project Cooperation Agreement: Provided, That the Secretary of the Army shall not accept or solicit non-Federal voluntary contributions for shore protection work in excess of the minimum requirements established by law; except that, when voluntary contributions are tendered by a non-Federal sponsor for the prosecution of work outside the authorized scope of the Federal project at full non-Federal expense, the Secretary is authorized to accept said contributions.

SEC. 103. Agreements proposed for execution by the Assistant Secretary of the Army for Civil Works or the United States Army Corps of Engineers after the date of the enactment of this Act pursuant to section 4 of the Rivers and Harbor Act of 1915, Public Law 64–291; section 11 of the River and Harbor Act of 1925, Public Law 68–585; the Civil Functions Appropriations Act, 1936, Public Law 75–208; section 215 of the Flood Control Act of 1968, as amended, Public Law 90–483; sections 104, 203, and 204 of the Water Resources Development Act of 1986, as amended, Public Law 99–662; section 206 of the Water Resources Development Act of 1992, as amended, Public Law 102–580; section 211 of the Water Resources Development Act of 1996, Public Law 104–303; and any other specific project authority, shall be limited to credits and reimbursements per project not to exceed $10,000,000 in each fiscal year, and total credits and reimbursements for all applicable projects not to exceed $50,000,000 in each fiscal year.

SEC. 104. ST. GEORGES BRIDGE, DELAWARE. None of the funds made available in this Act may be used to carry out any activity relating to closure or removal of the St. Georges Bridge across the Intracoastal Waterway, Delaware River to Chesapeake Bay, Delaware and Maryland, including a hearing or any other activity relating to preparation of an environmental impact statement concerning the closure or removal.

SEC. 105. The non-Federal interest shall receive credit towards the lands, easements, relocations, rights-of-way, and disposal areas required for the Lava Hot Springs restoration project in Idaho, and acquired by the non-Federal interest before execution of the project cooperation agreement: Provided, That the Secretary shall provide credit for work only if the Secretary determines such work to be integral to the project.

SEC. 106. GUADALUPE RIVER, CALIFORNIA. The project for flood control, Guadalupe River, California, authorized by section 401 of the Water Resources Development Act of 1986, and the Energy and Water Development Appropriation Acts of 1990 and 1992, is modified to authorize the Secretary to construct the project substantially in accordance with the General Reevaluation and Environmental Report for Proposed Project Modifications, dated February 2001, at a total cost of $226,800,000, with an estimated Federal cost of $128,700,000, and estimated non-Federal cost of $98,100,000.

SEC. 107. DESIGNATION OF NONNAVIGABILITY FOR PORTIONS OF GLOUCESTER COUNTY, NEW JERSEY. (a) DESIGNATION.—

(1) IN GENERAL.—The Secretary of the Army (referred to in section as the ''Secretary'') shall designate as nonnavigable the areas described in paragraph (3) unless the Secretary, after consultation with local and regional public officials (including local and regional planning organizations), makes a determination that 1 or more projects proposed to be carried out in 1 or more areas described in paragraph (2) are not in the public interest.

(2) DESCRIPTION OF AREAS.—The areas referred to in paragraph (1) are certain parcels of property situated in the West Deptford Township, Gloucester County, New Jersey, as depicted on Tax Assessment Map #26, Block #328, Lots #1, 1.03, 1.08, and 1.09, more fully described as follows:

(A) Beginning at the point in the easterly line of Church Street (49.50 feet wide), said beginning point being the following 2 courses from the intersection of the centerline of Church Street with the curved northerly right-of-way line of Pennsylvania-Reading Seashore Lines Railroad (66.00 feet wide)—

(i) along said centerline of Church Street N. 11°28′50″ E. 38.56 feet; thence

(ii) along the same N. 61°28′35″ E. 32.31 feet to the point of beginning.

(B) Said beginning point also being the end of the thirteenth course and from said beginning point runs; thence, along the aformentioned Easterly line of Church Street—

(i) N. 11°28′50″ E. 1052.14 feet; thence

(ii) crossing Church Street, N. 34°19′51″ W. 1590.16 feet; thence

(iii) N. 27°56′37″ W. 3674.36 feet; thence

(iv) N. 35°33′54″ W. 975.59 feet; thence

(v) N. 57°04′39″ W. 481.04 feet; thence

(vi) N. 36°22′55″ W. 870.00 feet to a point in the Pierhead and Bulkhead Line along the Southeasterly shore of the Delaware River; thence

(vii) along the same line N. 53°37′05″ E. 1256.19 feet; thence

(viii) still along the same, N. 86°10′29″ E. 1692.61 feet; thence, still along the same the following thirteenth courses

(ix) S. 67°44′20″ E. 1090.00 feet to a point in the Pierhead and Bulkhead Line along the Southwesterly shore of Woodbury Creek; thence

(x) S. 39°44′20″ E. 507.10 feet; thence

(xi) S. 31°01′38″ E. 1062.95 feet; thence

(xii) S. 34°34′20″ E. 475.00 feet; thence

(xiii) S. 32°20′28″ E. 254.18 feet; thence

(xiv) S. 52°55′49″ E. 964.95 feet; thence

(xv) S. 56°24′40″ E. 366.60 feet; thence

(xvi) S. 80°31′50″ E. 100.51 feet; thence

(xvii) N. 75°30′00″ E. 120.00 feet; thence

(xviii) N. 53°09′00″ E. 486.50 feet; thence

(xix) N. 81°18′00″ E. 132.00 feet; thence

(xx) S. 56°35′00″ E. 115.11 feet; thence

(xxi) S. 42°00′00″ E. 271.00 feet; thence

(xxii) S. 48°30′00″ E. 287.13 feet to a point in the Northwesterly line of Grove Avenue (59.75 feet wide); thence

(xxiii) S. 23°09′50″ W. 4120.49 feet; thence

(xxiv) N. 66°50′10″ W. 251.78 feet; thence

(xxv) S. 36°05′20″ E. 228.64 feet; thence

(xxvi) S. 58°53′00″ W. 1158.36 feet to a point in the Southwesterly line of said River Lane; thence

(xxvii) S. 41°31′35″ E. 113.50 feet; thence

(xxviii) S. 61°28′35″ W. 863.52 feet to the point of beginning.

(C)(i) Except as provided in clause (ii), beginning at a point in the centerline of Church Street (49.50 feet wide) where the same is intersected by the curved northerly line of Pennsylvania-Reading Seashore Lines Railroad right-of-way (66.00 feet wide), along that Railroad, on a curve to the left, having a radius of 1465.69 feet, an arc distance of 1132.14 feet—

(I) N. 88°45′47″ W. 1104.21 feet; thence

(II) S. 69°06′30″ W. 1758.95 feet; thence

(III) N. 23°04′43″ W. 600.19 feet; thence

(IV) N. 19°15′32″ W. 3004.57 feet; thence

(V) N. 44°52′41″ W. 897.74 feet; thence

(VI) N. 32°26′05″ W. 2765.99 feet to a point in the Pierhead and Bulkhead Line along the Southeasterly shore of the Delaware River; thence

(VII) N. 53°37′05″ E. 2770.00 feet; thence

(VIII) S. 36°22′55″ E. 870.00 feet; thence

(IX) S. 57°04′39″ E. 481.04 feet; thence

(X) S. 35°33′54″ E. 975.59 feet; thence

(XI) S. 27°56′37″ E. 3674.36 feet; thence

(XII) crossing Church Street, S. 34°19′51″ E. 1590.16 feet to a point in the easterly line of Church Street; thence

(XIII) S. 11°28′50″ W. 1052.14 feet; thence

(XIV) S. 61°28′35″ W. 32.31 feet; thence

(XV) S. 11°28′50″ W. 38.56 feet to the point of beginning.

(ii) The parcel described in clause (i) does not include the parcel beginning at the point in the centerline of Church Street (49.50 feet wide), that point being N. 11°28′50″ E. 796.36 feet, measured along the centerline, from its intersection with the curved northerly right-of-way line of Pennsylvania-Reading Seashore Lines Railroad (66.00 feet wide)—

(I) N. 78°27′40″ W. 118.47 feet; thence

(II) N. 15°48′40″ W. 120.51 feet; thence

(III) N. 77°53′00″ E 189.58 feet to a point in the centerline of Church Street; thence

(IV) S. 11°28′50″ W. 183.10 feet to the point of beginning.

(b) LIMITS ON APPLICABILITY; REGULATORY REQUIREMENTS.—

(1) IN GENERAL.—The designation under subsection (a)(1) shall apply to those parts of the areas described in subsection (a) that are or will be bulkheaded and filled or otherwise occupied by permanent structures, including marina facilities.

(2) APPLICABLE LAW.—All activities described in paragraph (1) shall be subject to all applicable Federal law, including—

(A) the Act of March 3, 1899 (30 Stat. 1121, chapter 425);

(B) section 404 of the Federal Water Pollution Control Act (33 U.S.C. 1344); and

(C) the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.).

(c) TERMINATION OF DESIGNATION.—If, on the date that is 20 years after the date of enactment of this Act, any area or portion of an area described in subsection (a)(3) is not bulkheaded, filled, or otherwise occupied by permanent structures (including marina facilities) in accordance with subsection (b), or if work in connection with any activity authorized under subsection (b) is not commenced by the date that is 5 years after the date on which permits for the work are issued, the designation of nonnavigability under subsection (a)(1) for that area or portion of an area shall terminate.

SEC. 108. NOME HARBOR TECHNICAL CORRECTIONS. Section 101(a)(1) of Public Law 106–53 (the Water Resources Development Act of 1999) is amended by—

(1) striking ''$25,651,000'' and inserting in its place ''$39,000,000''; and

(2) striking ''$20,192,000'' and inserting in its place ''$33,541,000''.

SEC. 109. Section 211 of the Water Resources Development Act of 2000, Public Law 106–541, is amended by adding the following language at the end of subsection (d):

''(e) ENGINEERING RESEARCH AND DEVELOPMENT CENTER.—The Engineering Research and Development Center is exempt from the requirements of this section.''.

SEC. 110. Section 514(g) of the Water Resources Development Act of 1999, Public Law 106–53, is amended by striking ''fiscal years 2000 and 2001'' and inserting in lieu thereof ''fiscal years 2000 through 2002''.

SEC. 111. The Secretary of the Army, acting through the Chief of Engineers, is directed to modify the pump station intake structure and discharge line to preclude ice from interfering with pump operations at Fort Fairfield, Maine, flood control project: Provided, That all design and construction costs associated with the modifications of the Fort Fairfield, Maine, project shall be at Federal expense.

SEC. 112. CERRILLOS DAM, PUERTO RICO. The Secretary of the Army shall reassess the allocation of Federal and non-Federal costs for construction of the Cerrillos Dam, carried out as part of the project for flood control, Portugues and Bucana Rivers, Puerto Rico.

SEC. 113. STUDY OF CORPS CAPABILITY TO CONSERVE FISH AND WILDLIFE. Section 704(b) of the Water Resources Development Act of 1986 (33 U.S.C. 2263(b)) is amended—

(1) by redesignating paragraphs (1), (2), (3), and (4) as subparagraphs (A), (B), (C), and (D), respectively;

(2) by striking ''(b) The Secretary'' and inserting the following:

''(b) PROJECTS.—

''(1) IN GENERAL.—The Secretary''; and

(3) by striking ''The non-Federal share of the cost of any project under this section shall be 25 percent.'' and inserting the following:

''(2) COST SHARING.—

''(A) IN GENERAL.—The non-Federal share of the cost of any project under this subsection shall be 25 percent.

''(B) FORM.—The non-Federal share may be provided through in-kind services, including the provision by the non-Federal interest of shell stock material that is determined by the Chief of Engineers to be suitable for use in carrying out the project.

''(C) APPLICABILITY.—The non-Federal interest shall be credited with the value of in-kind services provided on or after October 1, 2000, for a project described in paragraph (1) completed on or after that date, if the Secretary determines that the work is integral to the project.''.

SEC. 114. The flood control project for the Ramapo River at Oakland, New Jersey, authorized by section 401(a) of the Water Resources Development Act of 1986, Public Law 99–662, as amended by section 301(a)(9) of the Water Resources Development Act of 1996, Public Law 104–33, is modified to authorize the Secretary of the Army, acting through the Chief of Engineers, to construct the project at a total cost of $18,000,000, with an estimated Federal cost of $13,500,000 and an estimated non-Federal cost of $4,500,000 less any credits allowed under applicable laws.

SEC. 115. Except for the historic scheduled maintenance dredging in the Delaware River, none of the funds appropriated in this Act shall be used to operate the dredge MCFARLAND other than for urgent dredging, emergencies and in support of national defense.

SEC. 116. The Secretary may not expend funds to accelerate the schedule to finalize the Record of Decision for the revision of the Missouri River Master Water Control Manual and any associated changes to the Missouri River Annual Operating Plan. During consideration of revisions to the manual in fiscal year 2002, the Secretary may consider and propose alternatives for achieving species recovery other than the alternatives specifically prescribed by the United States Fish and Wildlife Service in the biological opinion of the Service. The Secretary shall consider the views of other Federal agencies, non-Federal agencies, and individuals to ensure that other congressionally authorized purposes are maintained.

TITLE II

DEPARTMENT OF THE INTERIOR

CENTRAL UTAH PROJECT

CENTRAL UTAH PROJECT COMPLETION ACCOUNT

For carrying out activities authorized by the Central Utah Project Completion Act, $34,918,000, to remain available until expended, of which $10,749,000 shall be deposited into the Utah Reclamation Mitigation and Conservation Account for use by the Utah Reclamation Mitigation and Conservation Commission.

In addition, for necessary expenses incurred in carrying out related responsibilities of the Secretary of the Interior, $1,310,000, to remain available until expended.

BUREAU OF RECLAMATION

The following appropriations shall be expended to execute authorized functions of the Bureau of Reclamation:

WATER AND RELATED RESOURCES

(INCLUDING TRANSFER OF FUNDS)

For management, development, and restoration of water and related natural resources and for related activities, including the operation, maintenance, and rehabilitation of reclamation and other facilities, participation in fulfilling related Federal responsibilities to Native Americans, and related grants to, and cooperative and other agreements with, State and local governments, Indian tribes, and others, $762,531,000, to remain available until expended, of which $14,649,000 shall be available for transfer to the Upper Colorado River Basin Fund and $31,442,000 shall be available for transfer to the Lower Colorado River Basin Development Fund; of which such amounts as may be necessary may be advanced to the Colorado River Dam Fund; of which $8,000,000 shall be for on-reservation water development, feasibility studies, and related administrative costs under Public Law 106–163; and of which not more than $500,000 is for high priority projects which shall be carried out by the Youth Conservation Corps, as authorized by 16 U.S.C. 1706: Provided, That such transfers may be increased or decreased within the overall appropriation under this heading: Provided further, That of the total appropriated, the amount for program activities that can be financed by the Reclamation Fund or the Bureau of Reclamation special fee account established by 16 U.S.C. 460l–6a(i) shall be derived from that Fund or account: Provided further, That funds contributed under 43 U.S.C. 395 are available until expended for the purposes for which contributed: Provided further, That funds advanced under 43 U.S.C. 397a shall be credited to this account and are available until expended for the same purposes as the sums appropriated under this heading: Provided further, That $12,000,000 of the funds appropriated herein shall be deposited in the San Gabriel Basin Restoration Fund established by section 110 of division B, title I of Public Law 106–554, of which $1,000,000 shall be for remediation in the Central Basin Municipal Water District: Provided further, That funds available for expenditure for the Departmental Irrigation Drainage Program may be expended by the Bureau of Reclamation for site remediation on a non-reimbursable basis: Provided further, That section 301 of Public Law 102–250, Reclamation States Emergency Drought Relief Act of 1991, as amended, is amended further by inserting ''2001, and 2002'' in lieu of ''and 2001'': Provided further, That of such funds, not more than $1,500,000 shall be available to the Secretary for completion of a feasibility study for the Santa Fe-Pojoaque Regional Water System, New Mexico: Provided further, That the study shall be completed by September 30, 2002.

BUREAU OF RECLAMATION LOAN PROGRAM ACCOUNT

For the cost of direct loans and/or grants, $7,215,000, to remain available until expended, as authorized by the Small Reclamation Projects Act of August 6, 1956, as amended (43 U.S.C. 422a–422l): Provided, That such costs, including the cost of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974, as amended: Provided further, That these funds are available to subsidize gross obligations for the principal amount of direct loans not to exceed $26,000,000.

In addition, for administrative expenses necessary to carry out the program for direct loans and/or grants, $280,000, to remain available until expended: Provided, That of the total sums appropriated, the amount of program activities that can be financed by the Reclamation Fund shall be derived from that Fund.

CENTRAL VALLEY PROJECT RESTORATION FUND

For carrying out the programs, projects, plans, and habitat restoration, improvement, and acquisition provisions of the Central Valley Project Improvement Act, $55,039,000, to be derived from such sums as may be collected in the Central Valley Project Restoration Fund pursuant to sections 3407(d), 3404(c)(3), 3405(f), and 3406(c)(1) of Public Law 102–575, to remain available until expended: Provided, That the Bureau of Reclamation is directed to assess and collect the full amount of the additional mitigation and restoration payments authorized by section 3407(d) of Public Law 102–575.

POLICY AND ADMINISTRATION

For necessary expenses of policy, administration, and related functions in the office of the Commissioner, the Denver office, and offices in the five regions of the Bureau of Reclamation, to remain available until expended, $52,968,000, to be derived from the Reclamation Fund and be nonreimbursable as provided in 43 U.S.C. 377: Provided, That no part of any other appropriation in this Act shall be available for activities or functions budgeted as policy and administration expenses.

ADMINISTRATIVE PROVISION

Appropriations for the Bureau of Reclamation shall be available for purchase of not to exceed four passenger motor vehicles for replacement only.

GENERAL PROVISIONS

DEPARTMENT OF THE INTERIOR

SEC. 201. In order to increase opportunities for Indian tribes to develop, manage, and protect their water resources, the Secretary of the Interior, acting through the Commissioner of the Bureau of Reclamation, is authorized to enter into grants and cooperative agreements with any Indian tribe, institution of higher education, national Indian organization, or tribal organization pursuant to 31 U.S.C. 6301–6308. Nothing in this Act is intended to modify or limit the provisions of the Indian Self Determination Act (25 U.S.C. 45 et seq.).

SEC. 202. SAN GABRIEL BASIN, CALIFORNIA. (a) ADMINISTRATION OF RESTORATION FUND.—Section 110(a)(2) of the Miscellaneous Appropriations Act, 2001 (as enacted into law by section 1(a)(4) of Public Law 106–554) is amended by striking ''the Secretary of the Army'' and inserting ''the Secretary of the Interior''.

(b) PURPOSES OF RESTORATION FUND.—Section 110(a)(3)(A) of such Act is amended by striking clauses (i) and (ii) and inserting the following:

''(i) to provide grants to the San Gabriel Basin Water Quality Authority and the Central Basin Municipal Water District to reimburse such agencies for the Federal share of the costs associated with designing and constructing water quality projects to be administered by such agencies; and

''(ii) to provide grants to reimburse the San Gabriel Basin Water Quality Authority and the Central Basin Municipal Water District for the Federal share of the costs required to operate any project constructed under this section for a period not to exceed 10 years, following the initial date of operation of the project.''.

(c) COST-SHARING LIMITATION.—Section 110(a)(3)(B) of such Act (114 Stat. 2763A–223) is amended by adding at the end the following:

''(iii) CREDITS TOWARD NON-FEDERAL SHARE.—For purposes of clause (ii), the Secretary shall credit the San Gabriel Basin Water Quality Authority with the value of all prior expenditures by non-Federal interests made after February 11, 1993, that are compatible with the purposes of this section, including—

''(I) all expenditures made by non-Federal interests to design and construct water quality projects, including expenditures associated with environmental analyses and public involvement activities that were required to implement the water quality projects in compliance with applicable Federal and State laws; and

''(II) all expenditures made by non-Federal interests to acquire lands, easements, rights-of-way, relocations, disposal areas, and water rights that were required to implement a water quality project.''.

SEC. 203. The Secretary of the Interior is authorized and directed to use not to exceed $1,000,000 of the funds appropriated under title II to refund amounts received by the United States as payments for charges assessed by the Secretary prior to January 1, 1994 for failure to file certain certification or reporting forms prior to the receipt of irrigation water, pursuant to sections 206 and 224(c) of the Reclamation Reform Act of 1982 (43 U.S.C. 390ff, 390ww(c)), including the amount of associated interest assessed by the Secretary and paid to the United States pursuant to section 224(i) of the Reclamation Reform Act of 1982 (43 U.S.C. 390ww(i)).

SEC. 204. LOWER COLORADO RIVER BASIN DEVELOPMENT FUND. (a) IN GENERAL.—Notwithstanding section 403(f) of the Colorado River Basin Project Act (43 U.S.C. 1543(f)), no amount from the Lower Colorado River Basin Development Fund shall be paid to the general fund of the Treasury until each provision of the Stipulation Regarding a Stay and for Ultimate Judgment Upon the Satisfaction of Conditions, filed in United States district court on May 3, 2000, in Central Arizona Water Conservation District v. United States (No. CIV 95–625–TUC–WDB (EHC), No. CIV 95–1720–OHX–EHC (Consolidated Action)) is met.

(b) PAYMENT TO GENERAL FUND.—If any of the provisions of the stipulation referred to in subsection (a) are not met by the date that is 3 years after the date of enactment of this Act, payments to the general fund of the Treasury shall resume in accordance with section 403(f) of the Colorado River Basin Project Act (43 U.S.C. 1543(f)).

(c) AUTHORIZATION.—Amounts in the Lower Colorado River Basin Development Fund that but for this section would be returned to the general fund of the Treasury shall not be expended until further Act of Congress.

SEC. 205. (a) None of the funds appropriated or otherwise made available by this Act may be used to determine the final point of discharge for the interceptor drain for the San Luis Unit until development by the Secretary of the Interior and the State of California of a plan, which shall conform to the water quality standards of the State of California as approved by the Administrator of the Environmental Protection Agency, to minimize any detrimental effect of the San Luis drainage waters.

(b) The costs of the Kesterson Reservoir Cleanup Program and the costs of the San Joaquin Valley Drainage Program shall be classified by the Secretary of the Interior as reimbursable or nonreimbursable and collected until fully repaid pursuant to the ''Cleanup Program—Alternative Repayment Plan'' and the ''SJVDP—Alternative Repayment Plan'' described in the report entitled ''Repayment Report, Kesterson Reservoir Cleanup Program and San Joaquin Valley Drainage Program, February 1995'', prepared by the Department of the Interior, Bureau of Reclamation. Any future obligations of funds by the United States relating to, or providing for, drainage service or drainage studies for the San Luis Unit shall be fully reimbursable by San Luis Unit beneficiaries of such service or studies pursuant to Federal reclamation law.

SEC. 206. The Secretary of the Interior, in accepting payments for the reimbursable expenses incurred for the replacement, repair, and extraordinary maintenance with regard to the Valve Rehabilitation Project at the Arrowrock Dam on the Arrowrock Division of the Boise Project in Idaho, shall recover no more than $6,900,000 of such expenses according to the application of the current formula for charging users for reimbursable operation and maintenance expenses at Bureau of Reclamation facilities on the Boise Project, and shall recover this portion of such expenses over a period of 15 years.

SEC. 207. None of the funds appropriated or otherwise made available by this or any other Act may be used to pay the salaries and expenses of personnel to purchase or lease water in the Middle Rio Grande or the Carlsbad Projects in New Mexico unless said purchase or lease is in compliance with the purchase requirements of section 202 of Public Law 106–60.

SEC. 208. None of the funds made available in this Act may be used by the Bureau of Reclamation (either directly or by making the funds available to an entity under a contract) for the issuance of permits for, or any other activity related to the management of, commercial rafting activities within the Auburn State Recreation Area, California, until the requirements of the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) and the Federal Water Pollution Control Act (33 U.S.C. 12151 et seq.) are met with respect to such commercial rafting activities.

SEC. 209. (a) Section 101(a)(6)(C) of the Water Resources Development Act of 1999, Public Law 106–53, is amended to read as follows:

''(C) MAKEUP OF WATER SHORTAGES CAUSED BY FLOOD CONTROL OPERATION.—

''(i) IN GENERAL.—The Secretary of the Interior shall enter into, or modify, such agreements with the Sacramento Area Flood Control Agency regarding the operation of Folsom Dam and Reservoir as may be necessary in order that, notwithstanding any prior agreement or provision of law, 100 percent of the water needed to make up for any water shortage caused by variable flood control operation during any year at Folsom Dam, and resulting in a significant impact on recreation at Folsom Reservoir shall be replaced, to the extent the water is available for purchase, by the Secretary of the Interior.

''(ii) COST SHARING.—Seventy-five percent of the costs of the replacement water provided under clause (i) shall be paid for on a non-reimbursable basis by the Secretary of the Interior at Federal expense. The remaining 25 percent of such costs shall be provided by the Sacramento Area Flood Control Agency.

''(iii) LIMITATION.—To the extent that any funds in excess of the non-Federal share are provided by the Sacramento Area Flood Control Agency, the Secretary shall reimburse such non-Federal interests for such excess funds. Costs for replacement water may not exceed 125 percent of the current average market price for raw water, as determined by the Secretary of the Interior.''.

(b) CONFORMING CHANGE.—Section 101(a)(1)(D)(ii) of the Water Resources Development Act of 1996, Public Law 104–303, is amended by striking ''during'' and all that follows through ''thereafter''.

TITLE III

DEPARTMENT OF ENERGY

ENERGY PROGRAMS

ENERGY SUPPLY

For Department of Energy expenses including the purchase, construction, and acquisition of plant and capital equipment, and other expenses necessary for energy supply activities in carrying out the purposes of the Department of Energy Organization Act (42 U.S.C. 7101 et seq.), including the acquisition or condemnation of any real property or any facility or for plant or facility acquisition, construction, or expansion; and the purchase of not to exceed 17 passenger motor vehicles for replacement only, $666,726,000, to remain available until expended.

NON-DEFENSE ENVIRONMENTAL MANAGEMENT

For Department of Energy expenses, including the purchase, construction and acquisition of plant and capital equipment and other expenses necessary for non-defense environmental management activities in carrying out the purposes of the Department of Energy Organization Act (42 U.S.C. 7101 et seq.), including the acquisition or condemnation of any real property or any facility or for plant or facility acquisition, construction, or expansion, $236,372,000, to remain available until expended: Provided, That funding for the West Valley Demonstration Project shall be reduced in subsequent fiscal years to the minimum necessary to maintain the project in a safe and stable condition, unless, not later than September 30, 2002, the Secretary: (1) provides written notification to the Committees on Appropriations of the House of Representatives and the Senate that agreement has been reached with the State of New York on the final scope of Federal activities at the West Valley site and on the respective Federal and State cost shares for those activities; (2) submits a written copy of that agreement to the Committees on Appropriations of the House of Representatives and the Senate; and (3) provides a written certification that the Federal actions proposed in the agreement will be in full compliance with all relevant Federal statutes and are in the best interest of the Federal government.

URANIUM FACILITIES MAINTENANCE AND REMEDIATION

For necessary expenses to maintain, decontaminate, decommission, and otherwise remediate uranium processing facilities, $418,425,000, of which $299,641,000 shall be derived from the Uranium Enrichment Decontamination and Decommissioning Fund, all of which shall remain available until expended.

SCIENCE

For Department of Energy expenses including the purchase, construction and acquisition of plant and capital equipment, and other expenses necessary for science activities in carrying out the purposes of the Department of Energy Organization Act (42 U.S.C. 7101 et seq.), including the acquisition or condemnation of any real property or facility or for plant or facility acquisition, construction, or expansion, and purchase of not to exceed 25 passenger motor vehicles for replacement only, $3,233,100,000, to remain available until expended.

NUCLEAR WASTE DISPOSAL

For nuclear waste disposal activities to carry out the purposes of Public Law 97–425, as amended, including the acquisition of real property or facility construction or expansion, $95,000,000, to remain available until expended and to be derived from the Nuclear Waste Fund: Provided, That not to exceed $2,500,000 shall be provided to the State of Nevada solely for expenditures, other than salaries and expenses of State employees, to conduct scientific oversight responsibilities pursuant to the Nuclear Waste Policy Act of 1982, Public Law 97–425, as amended: Provided further, That $6,000,000 shall be provided to affected units of local governments, as defined in Public Law 97–425, to conduct appropriate activities pursuant to the Act: Provided further, That the distribution of the funds as determined by the units of local government shall be approved by the Department of Energy: Provided further, That the funds for the State of Nevada shall be made available solely to the Nevada Division of Emergency Management by direct payment and units of local government by direct payment: Provided further, That within 90 days of the completion of each Federal fiscal year, the Nevada Division of Emergency Management and the Governor of the State of Nevada and each local entity shall provide certification to the Department of Energy that all funds expended from such payments have been expended for activities authorized by Public Law 97–425 and this Act. Failure to provide such certification shall cause such entity to be prohibited from any further funding provided

for similar activities: Provided further, That none of the funds herein appropriated may be: (1) used directly or indirectly to influence legislative action on any matter pending before Congress or a State legislature or for lobbying activity as provided in 18 U.S.C. 1913; (2) used for litigation expenses; or (3) used to support multi-State efforts or other coalition building activities inconsistent with the restrictions contained in this Act: Provided further, That all proceeds and recoveries realized by the Secretary in carrying out activities authorized by the Nuclear Waste Policy Act of 1982, Public Law 97–425, as amended, including but not limited to, any proceeds from the sale of assets, shall be available without further appropriation and shall remain available until expended.

DEPARTMENTAL ADMINISTRATION

(INCLUDING TRANSFER OF FUNDS)

For salaries and expenses of the Department of Energy necessary for departmental administration in carrying out the purposes of the Department of Energy Organization Act (42 U.S.C. 7101 et seq.), including the hire of passenger motor vehicles and official reception and representation expenses (not to exceed $35,000), $210,853,000, to remain available until expended, plus such additional amounts as necessary to cover increases in the estimated amount of cost of work for others notwithstanding the provisions of the Anti-Deficiency Act (31 U.S.C. 1511 et seq.): Provided, That such increases in cost of work are offset by revenue increases of the same or greater amount, to remain available until expended: Provided further, That moneys received by the Department for miscellaneous revenues estimated to total $137,810,000 in fiscal year 2002 may be retained and used for operating expenses within this account, and may remain available until expended, as authorized by section 201 of Public Law 95–238, notwithstanding the provisions of 31 U.S.C. 3302: Provided further, That the sum herein appropriated shall be reduced by the amount of miscellaneous revenues received during fiscal year 2002 so as to result in a final fiscal year 2002 appropriation from the General Fund estimated at not more than $73,043,000.

OFFICE OF THE INSPECTOR GENERAL

For necessary expenses of the Office of the Inspector General in carrying out the provisions of the Inspector General Act of 1978, as amended, $32,430,000, to remain available until expended.

ATOMIC ENERGY DEFENSE ACTIVITIES

NATIONAL NUCLEAR SECURITY ADMINISTRATION

WEAPONS ACTIVITIES

For Department of Energy expenses, including the purchase, construction, and acquisition of plant and capital equipment and other incidental expenses necessary for atomic energy defense weapons activities in carrying out the purposes of the Department of Energy Organization Act (42 U.S.C. 7101 et seq.), including the acquisition or condemnation of any real property or any facility or for plant or facility acquisition, construction, or expansion; and the purchase of not to exceed 11 passenger motor vehicles for replacement only, $5,429,238,000, to remain available until expended.

DEFENSE NUCLEAR NONPROLIFERATION

For Department of Energy expenses, including the purchase, construction and acquisition of plant and capital equipment and other incidental expenses necessary for atomic energy defense, defense nuclear nonproliferation activities, in carrying out the purposes of the Department of Energy Organization Act (42 U.S.C. 7101 et seq.), including the acquisition or condemnation of any real property or any facility or for plant or facility acquisition, construction, or expansion, $803,586,000, to remain available until expended.

NAVAL REACTORS

For Department of Energy expenses necessary for naval reactors activities to carry out the Department of Energy Organization Act (42 U.S.C. 7101 et seq.), including the acquisition (by purchase, condemnation, construction, or otherwise) of real property, plant, and capital equipment, facilities, and facility expansion, $688,045,000, to remain available until expended.

OFFICE OF THE ADMINISTRATOR

For necessary expenses of the Office of the Administrator of the National Nuclear Security Administration, including official reception and representation expenses (not to exceed $12,000), $312,596,000, to remain available until expended.

ENVIRONMENTAL AND OTHER DEFENSE ACTIVITIES

DEFENSE ENVIRONMENTAL RESTORATION AND WASTE MANAGEMENT

For Department of Energy expenses, including the purchase, construction, and acquisition of plant and capital equipment and other expenses necessary for atomic energy defense environmental restoration and waste management activities in carrying out the purposes of the Department of Energy Organization Act (42 U.S.C. 7101 et seq.), including the acquisition or condemnation of any real property or any facility or for plant or facility acquisition, construction, or expansion; and the purchase of not to exceed 30 passenger motor vehicles, of which 27 shall be for replacement only, $5,234,576,000, to remain available until expended.

DEFENSE FACILITIES CLOSURE PROJECTS

For expenses of the Department of Energy to accelerate the closure of defense environmental management sites, including the purchase, construction, and acquisition of plant and capital equipment and other necessary expenses, $1,092,878,000, to remain available until expended.

DEFENSE ENVIRONMENTAL MANAGEMENT PRIVATIZATION

For Department of Energy expenses for privatization projects necessary for atomic energy defense environmental management activities authorized by the Department of Energy Organization Act (42 U.S.C. 7101 et seq.), $153,537,000, to remain available until expended.

OTHER DEFENSE ACTIVITIES

For Department of Energy expenses, including the purchase, construction, and acquisition of plant and capital equipment and other expenses necessary for atomic energy defense, other defense activities, in carrying out the purposes of the Department of Energy Organization Act (42 U.S.C. 7101 et seq.), including the acquisition or condemnation of any real property or any facility or for plant or facility acquisition, construction, or expansion, $544,044,000, to remain available until expended.

DEFENSE NUCLEAR WASTE DISPOSAL

For nuclear waste disposal activities to carry out the purposes of Public Law 97–425, as amended, including the acquisition of real property or facility construction or expansion, $280,000,000, to remain available until expended.

POWER MARKETING ADMINISTRATIONS

BONNEVILLE POWER ADMINISTRATION FUND

Expenditures from the Bonneville Power Administration Fund, established pursuant to Public Law 93–454, are approved for official reception and representation expenses in an amount not to exceed $1,500.

During fiscal year 2002, no new direct loan obligations may be made.

OPERATION AND MAINTENANCE, SOUTHEASTERN POWER ADMINISTRATION

For necessary expenses of operation and maintenance of power transmission facilities and of marketing electric power and energy, including transmission wheeling and ancillary services, pursuant to the provisions of section 5 of the Flood Control Act of 1944 (16 U.S.C. 825s), as applied to the southeastern power area, $4,891,000, to remain available until expended; in addition, notwithstanding the provisions of 31 U.S.C. 3302, up to $8,000,000 collected by the Southeastern Power Administration pursuant to the Flood Control Act to recover purchase power and wheeling expenses shall be credited to this account as offsetting collections, to remain available until expended for the sole purpose of making purchase power and wheeling expenditures.

OPERATION AND MAINTENANCE, SOUTHWESTERN POWER ADMINISTRATION

For necessary expenses of operation and maintenance of power transmission facilities and of marketing electric power and energy, and for construction and acquisition of transmission lines, substations and appurtenant facilities, and for administrative expenses, including official reception and representation expenses in an amount not to exceed $1,500 in carrying out the provisions of section 5 of the Flood Control Act of 1944 (16 U.S.C. 825s), as applied to the southwestern power area, $28,038,000, to remain available until expended; in addition, notwithstanding the provisions of 31 U.S.C. 3302, not to exceed $5,200,000 in reimbursements, to remain available until expended: Provided, That up to $1,512,000 collected by the Southwestern Power Administration pursuant to the Flood Control Act to recover purchase power and wheeling expenses shall be credited to this account as offsetting collections, to remain available until expended for the sole purpose of making purchase power and wheeling expenditures.

CONSTRUCTION, REHABILITATION, OPERATION AND MAINTENANCE, WESTERN AREA POWER ADMINISTRATION

For carrying out the functions authorized by title III, section 302(a)(1)(E) of the Act of August 4, 1977 (42 U.S.C. 7152), and other related activities including conservation and renewable resources programs as authorized, including official reception and representation expenses in an amount not to exceed $1,500, $171,938,000, to remain available until expended, of which $166,651,000 shall be derived from the Department of the Interior Reclamation Fund: Provided, That of the amount herein appropriated, $6,000,000 is for deposit into the Utah Reclamation Mitigation and Conservation Account pursuant to title IV of the Reclamation Projects Authorization and Adjustment Act of 1992: Provided further, That up to $152,624,000 collected by the Western Area Power Administration pursuant to the Flood Control Act of 1944 and the Reclamation Project Act of 1939 to recover purchase power and wheeling expenses shall be credited to this account as offsetting collections, to remain available until expended for the sole purpose of making purchase power and wheeling expenditures.

FALCON AND AMISTAD OPERATING AND MAINTENANCE FUND

For operation, maintenance, and emergency costs for the hydroelectric facilities at the Falcon and Amistad Dams, $2,663,000, to remain available until expended, and to be derived from the Falcon and Amistad Operating and Maintenance Fund of the Western Area Power Administration, as provided in section 423 of the Foreign Relations Authorization Act, Fiscal Years 1994 and 1995.

FEDERAL ENERGY REGULATORY COMMISSION

SALARIES AND EXPENSES

For necessary expenses of the Federal Energy Regulatory Commission to carry out the provisions of the Department of Energy Organization Act (42 U.S.C. 7101 et seq.), including services as authorized by 5 U.S.C. 3109, the hire of passenger motor vehicles, and official reception and representation expenses (not to exceed $3,000), $184,155,000, to remain available until expended: Provided, That notwithstanding any other provision of law, not to exceed $184,155,000 of revenues from fees and annual charges, and other services and collections in fiscal year 2002 shall be retained and used for necessary expenses in

this account, and shall remain available until expended: Provided further, That the sum herein appropriated from the General Fund shall be reduced as revenues are received during fiscal year 2002 so as to result in a final fiscal year 2002 appropriation from the General Fund estimated at not more than $0: Provided further, That the Commission is authorized an additional 5 senior executive service positions.

GENERAL PROVISIONS

DEPARTMENT OF ENERGY

SEC. 301. (a) None of the funds appropriated by this Act may be used to award a management and operating contract, or award a significant extension or expansion to an existing management and operating contract, unless such contract is awarded using competitive procedures or the Secretary of Energy grants, on a case-by-case basis, a waiver to allow for such a deviation. The Secretary may not delegate the authority to grant such a waiver.

(b) At least 60 days before a contract award for which the Secretary intends to grant such a waiver, the Secretary shall submit to the Subcommittees on Energy and Water Development of the Committees on Appropriations of the House of Representatives and the Senate a report notifying the Subcommittees of the waiver and setting forth, in specificity, the substantive reasons why the Secretary believes the requirement for competition should be waived for this particular award.

SEC. 302. None of the funds appropriated by this Act may be used to—

(1) develop or implement a workforce restructuring plan that covers employees of the Department of Energy; or

(2) provide enhanced severance payments or other benefits for employees of the Department of Energy,

under section 3161 of the National Defense Authorization Act for Fiscal Year 1993 (Public Law 102–484; 42 U.S.C. 7274h).

SEC. 303. None of the funds appropriated by this Act may be used to augment the $20,000,000 made available for obligation by this Act for severance payments and other benefits and community assistance grants under section 3161 of the National Defense Authorization Act for Fiscal Year 1993 (Public Law 102–484; 42 U.S.C. 7274h) unless the Department of Energy submits a reprogramming request subject to approval by the appropriate Congressional committees.

SEC. 304. None of the funds appropriated by this Act may be used to prepare or initiate Requests For Proposals (RFPs) for a program if the program has not been funded by Congress.

(TRANSFERS OF UNEXPENDED BALANCES)

SEC. 305. The unexpended balances of prior appropriations provided for activities in this Act may be transferred to appropriation accounts for such activities established pursuant to this title. Balances so transferred may be merged with funds in the applicable established accounts and thereafter may be accounted for as one fund for the same time period as originally enacted.

SEC. 306. None of the funds in this or any other Act for the Administrator of the Bonneville Power Administration may be used to enter into any agreement to perform energy efficiency services outside the legally defined Bonneville service territory, with the exception of services provided internationally, including services provided on a reimbursable basis, unless the Administrator certifies in advance that such services are not available from private sector businesses.

SEC. 307. When the Department of Energy makes a user facility available to universities and other potential users, or seeks input from universities and other potential users regarding significant characteristics or equipment in a user facility or a proposed user facility, the Department shall ensure broad public notice of such availability or such need for input to universities and other potential users. When the Department of Energy considers the participation of a university or other potential user as a formal partner in the establishment or operation of a user facility, the Department shall employ full and open competition in selecting such a partner. For purposes of this section, the term ''user facility'' includes, but is not limited to: (1) a user facility as described in section 2203(a)(2) of the Energy Policy Act of 1992 (42 U.S.C. 13503(a)(2)); (2) a National Nuclear Security Administration Defense Programs Technology Deployment Center/User Facility; and (3) any other Departmental facility designated by the Department as a user facility.

SEC. 308. None of the funds in this Act may be used to dispose of transuranic waste in the Waste Isolation Pilot Plant which contains concentrations of plutonium in excess of 20 percent by weight for the aggregate of any material category on the date of enactment of this Act, or is generated after such date. For the purposes of this section, the material categories of transuranic waste at the Rocky Flats Environmental Technology Site include: (1) ash residues; (2) salt residues; (3) wet residues; (4) direct repackage residues; and (5) scrub alloy as referenced in the ''Final Environmental Impact Statement on Management of Certain Plutonium Residues and Scrub Alloy Stored at the Rocky Flats Environmental Technology Site''.

SEC. 309. The Administrator of the National Nuclear Security Administration may authorize the plant manager of a covered nuclear weapons production plant to engage in research, development, and demonstration activities with respect to the engineering and manufacturing capabilities at such plant in order to maintain and enhance such capabilities at such plant: Provided, That of the amount allocated to a covered nuclear weapons production plant each fiscal year from amounts available to the Department of Energy for such fiscal year for national security programs, not more than an amount equal to 2 percent of such amount may be used for these activities: Provided further, That for purposes of this section, the term ''covered nuclear weapons production plant'' means the following:

(1) the Kansas City Plant, Kansas City, Missouri;

(2) the Y–12 Plant, Oak Ridge, Tennessee;

(3) the Pantex Plant, Amarillo, Texas; and

(4) the Savannah River Plant, South Carolina.

SEC. 310. The Administrator of the National Nuclear Security Administration may authorize the manager of the Nevada Operations Office to engage in research, development, and demonstration activities with respect to the development, test, and evaluation capabilities necessary for operations and readiness of the Nevada Test Site: Provided, That of the amount allocated to the Nevada Operations Office each fiscal year from amounts available to the Department of Energy for such fiscal year for national security programs at the Nevada Test Site, not more than an amount equal to 2 percent of such amount may be used for these activities.

SEC. 311. DEPLETED URANIUM HEXAFLUORIDE. Section 1 of Public Law 105–204 is amended in subsection (b)—

(1) by inserting ''except as provided in subsection (c),'' after ''1321–349),''; and

(2) by striking ''fiscal year 2002'' and inserting ''fiscal year 2005''.

SEC. 312. PROHIBITION OF OIL AND GAS DRILLING IN THE FINGER LAKES NATIONAL FOREST, NEW YORK. No Federal permit or lease shall be issued for oil or gas drilling in the Finger Lakes National Forest, New York, during fiscal year 2002.

TITLE IV

INDEPENDENT AGENCIES

APPALACHIAN REGIONAL COMMISSION

For expenses necessary to carry out the programs authorized by the Appalachian Regional Development Act of 1965, as amended, notwithstanding section 405 of said Act, and, for necessary expenses for the Federal Co-Chairman and the alternate on the Appalachian Regional Commission, for payment of the Federal share of the administrative expenses of the Commission, including services as authorized by 5 U.S.C. 3109, and hire of passenger motor vehicles, $71,290,000, to remain available until expended.

DEFENSE NUCLEAR FACILITIES SAFETY BOARD

SALARIES AND EXPENSES

For necessary expenses of the Defense Nuclear Facilities Safety Board in carrying out activities authorized by the Atomic Energy Act of 1954, as amended by Public Law 100–456, section 1441, $18,500,000, to remain available until expended.

DELTA REGIONAL AUTHORITY

SALARIES AND EXPENSES

For necessary expenses of the Delta Regional Authority and to carry out its activities, as authorized by the Delta Regional Authority Act of 2000, $10,000,000, to remain available until expended.

DENALI COMMISSION

For expenses of the Denali Commission including the purchase, construction and acquisition of plant and capital equipment as necessary and other expenses, $38,000,000, to remain available until expended.

NUCLEAR REGULATORY COMMISSION

SALARIES AND EXPENSES

For necessary expenses of the Commission in carrying out the purposes of the Energy Reorganization Act of 1974, as amended, and the Atomic Energy Act of 1954, as amended, including official representation expenses (not to exceed $15,000), and purchase of promotional items for use in the recruitment of individuals for employment, $516,900,000, to remain available until expended: Provided, That of the amount appropriated herein, $23,650,000 shall be derived from the Nuclear Waste Fund: Provided further, That revenues from licensing fees, inspection services, and other services and collections estimated at $473,520,000 in fiscal year 2002 shall be retained and used for necessary salaries and expenses in this account, notwithstanding 31 U.S.C. 3302, and shall remain available until expended: Provided further, That the sum herein appropriated shall be reduced by the amount of revenues received during fiscal year 2002 so as to result in a final fiscal year 2002 appropriation estimated at not more than $43,380,000: Provided further, That, notwithstanding any other provision of law, no funds made available under this or any other Act may be expended by the Commission to implement or enforce any part of 10 C.F.R. Part 35, as adopted by the Commission on October 23, 2000, with respect to diagnostic nuclear medicine, except those parts which establish training and experience requirements for persons seeking licensing as authorized users, until such time as the Commission has reexamined 10 C.F.R. Part 35 and provided a report to the Congress which explains why the burden imposed by 10 C.F.R. Part 35 could not be further reduced.

OFFICE OF INSPECTOR GENERAL

For necessary expenses of the Office of Inspector General in carrying out the provisions of the Inspector General Act of 1978, as amended, $6,180,000, to remain available until expended: Provided, That revenues from licensing fees, inspection services, and other services and collections estimated at $5,933,000 in fiscal year 2002 shall be retained and be available until expended, for necessary salaries and expenses in this account notwithstanding 31 U.S.C. 3302: Provided further, That the sum herein appropriated shall be reduced by the amount of revenues received during fiscal year 2002 so as to result in a final fiscal year 2002 appropriation estimated at not more than $247,000.

NUCLEAR WASTE TECHNICAL REVIEW BOARD

SALARIES AND EXPENSES

For necessary expenses of the Nuclear Waste Technical Review Board, as authorized by Public Law 100–203, section 5051, $3,100,000, to be

derived from the Nuclear Waste Fund, and to remain available until expended.

TITLE V

GENERAL PROVISIONS

SEC. 501. None of the funds appropriated by this Act may be used in any way, directly or indirectly, to influence congressional action on any legislation or appropriation matters pending before Congress, other than to communicate to Members of Congress as described in 18 U.S.C. 1913.

SEC. 502. (a) PURCHASE OF AMERICAN-MADE EQUIPMENT AND PRODUCTS.—It is the sense of the Congress that, to the greatest extent practicable, all equipment and products purchased with funds made available in this Act should be American-made.

(b) NOTICE REQUIREMENT.—In providing financial assistance to, or entering into any contract with, any entity using funds made available in this Act, the head of each Federal agency, to the greatest extent practicable, shall provide to such entity a notice describing the statement made in subsection (a) by the Congress.

(c) PROHIBITION OF CONTRACTS WITH PERSONS FALSELY LABELING PRODUCTS AS MADE IN AMERICA.—If it has been finally determined by a court or Federal agency that any person intentionally affixed a label bearing a ''Made in America'' inscription, or any inscription with the same meaning, to any product sold in or shipped to the United States that is not made in the United States, the person shall be ineligible to receive any contract or subcontract made with funds made available in this Act, pursuant to the debarment, suspension, and ineligibility procedures described in sections 9.400 through 9.409 of title 48, Code of Federal Regulations.

SEC. 503. The Secretary of the Army shall conduct and submit to Congress a study that examines the known and potential environmental effects of oil and gas drilling activity in the Great Lakes (including effects on the shorelines and water of the Great Lakes): Provided, That during the fiscal years 2002 and 2003, no Federal or State permit or lease shall be issued for new oil and gas slant, directional, or offshore drilling in or under one or more of the Great Lakes.

This Act may be cited as the ''Energy and Water Development Appropriations Act, 2002''.

And the Senate agree to the same.

SONNY CALLAHAN,
HAROLD ROGERS,
RODNEY P. FRELINGHUYSEN,
TOM LATHAM,
ROGER F. WICKER,
ZACH WAMP,
JO ANN EMERSON,
JOHN T. DOOLITTLE,
BILL YOUNG,
PETER J. VISCLOSKY,
ED PASTOR,
JAMES E. CLYBURN,
LUCILLE ROYBAL-ALLARD,
Managers on the Part of the House.

PETE V. DOMENICI,
THAD COCHRAN,
MITCH MCCONNELL,
ROBERT F. BENNETT,
CONRAD BURNS,
LARRY CRAIG,
TED STEVENS,
HARRY REID,
ROBERT C. BYRD,
FRITZ HOLLINGS,
PATTY MURRAY,
BYRON L. DORGAN,
DIANNE FEINSTEIN,
TOM HARKIN,
DANIEL K. INOUYE,
Managers on the Part of the Senate.

JOINT EXPLANATORY STATEMENT OF THE COMMITTEE OF CONFERENCE

The managers on the part of the House and the Senate at the conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 2311) making appropriations for energy and water development for the fiscal year ending September 30, 2002, and for other purposes, submit the following joint statement to the House and the Senate in explanation of the effects of the action agreed upon by the managers and recommended in the accompanying conference report.

The language and allocations set forth in House Report 107–112 and Senate Report 107–39 should be complied with unless specifically addressed to the contrary in the conference report and statement of the managers. Report language included by the House which is not contradicted by the report of the Senate or the statement of the managers, and Senate report language which is not contradicted by the report of the House or the statement of the managers is approved by the committee of conference. The statement of the managers, while repeating some report language for emphasis, does not intend to negate the language referred to above unless expressly provided herein. In cases where both the House report and Senate report address a particular issue not specifically addressed in the conference report or joint statement of managers, the conferees have determined that the House and Senate reports are not inconsistent and are to be interpreted accordingly. In cases in which the House or Senate have directed the submission of a report, such report is to be submitted to both House and Senate Committees on Appropriations.

Senate amendment: The Senate deleted the entire House bill after the enacting clause and inserted the Senate bill. The conference agreement includes a revised bill.

INTRODUCTION

RESPONSE TO TERRORISM

The conferees commend the personnel of the agencies funded in this bill for their dedication and professionalism in their response to the heinous and cowardly terrorist attacks on the World Trade Center and the Pentagon on September 11, 2001.

The Army Corps of Engineers had a very prominent role in crisis response, engineering assessment, and recovery at the attack sites. The conferees believe that this disaster has again shown the wisdom of the current structure and alignment of the Corps of Engineers within the Department of Defense. The conferees continue to expect the Congress to be fully consulted before any proposed changes affecting the Corps or the unique role of the Chief of Engineers are implemented.

The Department of Energy redoubled efforts to maximize and ensure absolute security of our Nation's nuclear weapons, nuclear materials, and critical scientific and weapons infrastructure. In a quiet, unheralded manner the professionals throughout the country at the Army Corps of Engineers and the Department of the Interior's Bureau of Reclamation have spent much time and personal effort to ensure the safety of many of the Nation's critical water resources. The Nuclear Regulatory Commission remains vigilant about security at the nation's commercial nuclear power reactors. The conferees note that both Federal and contractor employees have made significant contributions at sometimes great personal sacrifice on behalf of our Nation, and we are grateful for their efforts.

The conferees are aware that a number of requirements have surfaced since the terrorist attacks to address the cost of improved security at facilities funded in this bill. These requirements are evolving and are expected to be addressed within the $40 billion emergency supplemental appropriation that the Congress provided immediately following the terrorist attack. If additional requirements are identified during the year, the conferees expect each agency to follow normal reprogramming procedures to address those requirements. For the Corps of Engineers Operation and Maintenance, General, account, the Corps of Engineers shall submit to the House and Senate Committees for approval, any reprogramming of funds directly related to enhanced security at its projects. If all known enhanced security requirements cannot be fully met through fiscal year 2002 appropriations, the conferees direct that each agency in this bill budget for any such remaining costs in the fiscal year 2003 budget submission to Congress. The conferees direct the Secretaries of the Army, Energy, and Interior to each submit a report to the Appropriations Committees of Congress by February 15, 2002 which specifically identifies in detail all known physical security requirements that have surfaced since the terrorist attacks, and the degree to which each has been met through fiscal year 2002 appropriations and the fiscal year 2003 budget request.

TITLE I

DEPARTMENT OF DEFENSE—CIVIL

DEPARTMENT OF THE ARMY

CORPS OF ENGINEERS—CIVIL

The summary tables at the end of this title set forth the conference agreement with respect to the individual appropriations, programs, and activities of the Corps of Engineers. Additional items of conference agreement are discussed below.

GENERAL INVESTIGATIONS

The conference agreement appropriates $154,350,000 for General Investigations instead of $163,260,000 as proposed by the House and $152,402,000 as proposed by the Senate.

The conferees have agreed to provide $350,000 for the Corps of Engineers to initiate and complete a reconnaissance study to evaluate environmental restoration, recreation, and related purposes for the Middle Rio Grande, Bosque, New Mexico. The conferees are aware of the unique nature of this study and encourage the Corps of Engineers to establish a regional inter-agency and inter-state steering committee to leverage lessons learned from the Rio Salado, Phoenix and Tempe Reaches, Arizona, and Tres Rio, Arizona, environmental restoration projects as well as experience from within the agency.

The conference agreement includes $1,200,000 for the Upper Trinity River Basin, Texas, project as proposed by the House and the Senate. The additional amount provided will allow for completion of the Dallas Floodway and Stemmons North Industrial Corridor studies, for continuation of studies on the Clear and West Forks of the Trinity River including the evaluation of existing flood control improvements and the identification of additional measures at their confluence needed to protect the urban center of Fort Worth, and the Big Fossil Creek Watershed, and for initiation of a new study.

The conferees have provided $100,000 for the Corps of Engineers to address the historic flooding problem at the Sparks Arroyo Colonia in El Paso County, Texas.

The conferees have provided $100,000 for the Nueces River and Tributaries, Texas, project for a reconnaissance study of recharge structures located on the Edwards Aquifer Recharge Zone in the Nueces River Basin.

Within the amount provided for Flood Plain Management Services, $100,000 is to update a flood plain study for Tripps Run in the City of Falls Church, Virginia. In addition, the amount provided for Flood Plain Management Services includes $1,300,000 for

the development of a Foundational Floodplain Management Geographic Information System for East Baton Rouge Parish, Louisiana, containing essential graphic and nongraphic detailed databases.

Within the amount provided for the Planning Assistance to States Program, $50,000 is for the preparation of a Comprehensive Drainage Basin Plan for Francis Bland Floodway Ditch (Eight Mile Creek) and tributaries in the vicinity of Paragould, Arkansas, and $100,000 is for the Corps of Engineers to provide planning assistance to develop a master plan for Elk Creek Lake in Fleming County, Kentucky. In addition, the conferees urge the Corps of Engineers to initiate an investigation of the streambank erosion problems in the East Baton Rouge Parish Canal in Baker, Louisiana, and desalinization efforts at Tularosa Basin in Alamogordo, New Mexico. The amount provided for the Planning Assistance to States program also includes $150,000 for the Corps of Engineers to provide planning assistance to the Choctawhatchee, Pea, and Yellow Rivers Watershed Management Authority. The conferees have also included $400,000 for the Corps of Engineers to conduct, at full Federal expense as required by section 1156 of Public Law 99–662, a review of plans developed by the Commonwealth of the Northern Mariana Islands for improvements to its water infrastructure in order to prepare a report for transmission to Congress that could be used as the basis for an authorization for the Federal government to assist the Commonwealth of the Northern Mariana Islands with those improvements.

The conference agreement includes $29,300,000 for Research and Development. Within the amount provided, $4,100,000 is to continue the National Shoreline Erosion Control Development and Demonstration Program authorized by section 227 of the Water Resources Development Act of 1996, including $1,300,000 for the Corps of Engineers to demonstrate the effectiveness of erosion control systems consisting of permeable groins installed perpendicular to the shoreline which reduce wave and current energy allowing a portion of the sediment load to fall out of suspension at Gulf State Park in Gulf Shores, Alabama, and $800,000 to continue the research being conducted at Allegan County, Michigan, in cooperation with Western Michigan University. In addition, the conferees encourage the Corps of Engineers to fully investigate the use of electro-osmotic-pulse technologies at facilities where chronic water seepage and floods are problematic. The conferees urge the Corps of Engineers to test the effectiveness of the Aqua Levee Emergency Flood Control System, and report back to the House and Senate Committees on Appropriations on the feasibility of deploying this emergency flood control system for use in fighting floods. The amount provided for Research and Development also includes $300,000 for the Corps of Engineers to prepare an implementation plan and complete a detailed project design for the Seabrook Harbor, New Hampshire, Demonstration Project under the authority of section 227 of the Water Resources Development Act of 1996.

The conference agreement includes language proposed by the House which directs the Corps of Engineers to continue preconstruction engineering and design of the Murrieta Creek, California, project in accordance with the cost sharing established in Public Law 106-377. The language has been amended to delete the dollar amount; however, the conference agreement includes $1,000,000 for the project as proposed by the House.

The conference agreement includes language proposed by the House which directs the Corps of Engineers to use the feasibility report prepared under the authority of section 205 of the Flood Control Act of 1948, as amended, as the basis for the Rock Creek-Keefer Slough Flood Control Project in Butte County, California. The language has been amended to delete the dollar amount; however, the conference agreement includes $200,000 for the project as proposed by the House and the Senate.

The conference agreement includes language proposed by the House regarding the Southwest Valley Flood Damage Reduction Study in New Mexico which directs the Corps of Engineers to include in the study an evaluation of flood reduction measures that would otherwise be excluded based on policies regarding the frequency of flooding, the drainage area, and the amount of runoff.

The conference agreement includes language proposed by the Senate which directs the Corps of Engineers to conduct studies for flood damage reduction, environmental protection, environmental restoration, water supply, water quality, and other purposes in Tuscaloosa County, Alabama. The language has been amended to delete the dollar amount; however, the conference agreement includes $100,000 for the study as proposed by the Senate.

The conferees have included language in the bill which directs the Corps of Engineers to conduct a comprehensive watershed study to provide a framework for implementing activities to improve the environmental quality of the Lake Tahoe Basin in Nevada and California.

The conference agreement includes language which amends the Consolidated Appropriations Act, 2001, to provide that funds for the Lower St. Anthony Falls, Minnesota, project may be used for planning, engineering and design activities.

The conference agreement deletes bill language proposed by the Senate providing $500,000 for the Port of Iberia, Louisiana, study. Funds for this project have been included in the overall amount appropriated for General Investigations.

The conference agreement deletes bill language proposed by the Senate providing $100,000 for a Chesapeake Bay shoreline erosion study, including an examination of management measures that could be undertaken to address the sediments behind the dams on the Lower Susquehanna River. Funds for this project have been included in the overall amount appropriated for General Investigations.

The conference agreement deletes bill language proposed by the Senate providing $300,000 for the North Georgia Water Planning District Watershed study in Georgia. Funds for this project have been included in the overall amount appropriated for General Investigations.

The conference agreement deletes language proposed by the Senate regarding drilling for oil or gas in the Great Lakes. This matter has been addressed in Title V, General Provisions.

CONSTRUCTION, GENERAL

The conference agreement appropriates $1,715,951,000 for Construction, General instead of $1,671,854,000 as proposed by the House and $1,570,798,000 as proposed by the Senate.

The conference agreement includes $2,000,000 for the St. Johns County, Florida, project. The conferees are aware that additional funds may be required in fiscal year 2002 to complete this project. Therefore, the Corps of Engineers is urged to transfer up to an additional $9,000,000 from available funds as necessary to complete this project. The conferees approve of this procedure and direct the Corps of Engineers to take all steps necessary to complete this project.

The conference agreement includes $40,000,000 for the Olmsted Locks and Dam project. The conferees agree that none of the funds are to be used to reimburse the Claims and Judgment Fund.

The conferees have provided $13,000,000 for the Inner Harbor Navigation Canal Lock project in Louisiana. While the conferees continue to support the renovation of the 80-year old locks in the Inner Harbor Navigation Canal, they are aware of recent allegations regarding potential adverse impacts of the project on vehicular traffic crossing the canal and direct the Corps of Engineers to work with the Old Arabi Neighborhood Association, Regional Planning Commission, St. Bernard Parish, the Louisiana Department of Transportation and Development, and the U.S. Coast Guard to determine if the project will cause vehicular traffic problems and on solutions to any confirmed problems.

The conference agreement includes $950,000 for the Chesapeake Bay Environmental Restoration and Protection program, including $200,000 for the Taylors Island marsh creation and shoreline protection project, and $750,000 for upgrades to the Smith Island wastewater treatment plant.

The conference agreement includes $4,000,000 for the Northeastern Minnesota Environmental Infrastructure program, including $250,000 to assist the City of Biwabik, Minnesota, with its sewer and water utility reconstruction along 7th and 8th avenues.

The conference agreement includes $500,000 for the Rural Montana project. Within the funds provided, the Corps of Engineers is directed to give consideration to projects at Helena, Laurel, and Conrad, Montana.

The conferees are aware of the urgent need to facilitate efficient construction of improvements for New York and New Jersey Harbor to meet the needs of navigation interests and save significant Federal and non-Federal resources. Therefore, the conferees direct the Secretary of the Army to combine the previously authorized Arthur Kill Channel, Howland Hook Marine Terminal, New York and New Jersey, project; the Kill Van Kull and Newark Bay Channel, New York and New Jersey, project; the New York and Adjacent Channels, Port Jersey Channel, New Jersey, project; and the New York and New Jersey Harbor, New York and New Jersey, project into a single project designated the New York and New Jersey Harbor, New York and New Jersey, project. The conferees have combined the Construction, General and General Investigations budget amounts for these projects and provided $88,500,000 for the New York and New Jersey Harbor project. The Secretary of the Army is directed to use these funds to continue construction of the combined New York and New Jersey Harbor project to the depths authorized in the Water Resources Development Act of 2000.

The conferees have provided $8,000,000 to continue the Rural Nevada project. Within the funds provided, the Corps of Engineers is directed to give consideration to projects at Mesquite, Silver Springs, Lawton-Verdi, Moapa, Elko County, McGill, and Boulder City, Nevada.

The conference agreement includes $3,000,000 for the Mill Creek, Ohio, project as proposed by the House and the Senate. The additional funds provided above the budget request are to be used to accelerate completion of the General Reevaluation Report and develop an early warning system to alert businesses and residents in the watershed of possible floods.

The conference agreement includes $3,000,000 for the Ohio Environmental Infrastructure program. The amount provided includes $1,500,000 to assist the City of Springfield, Ohio, with its wastewater treatment and sewer improvement needs.

The conference agreement includes $10,000,000 for the South Central Pennsylvania Environmental Improvement Program. These funds are available to carry out improvements in Armstrong, Cambria, Indiana, Fayette, Somerset, and Westmoreland Counties in Pennsylvania.

The conference agreement includes $500,000 for the Corps of Engineers to complete preconstruction engineering and design of the Goshen Dam, Virginia, project. The conferees agree that upon completion of preconstruction engineering and design, the Corps of Engineers may initiate construction of the project using available funds.

The conferees have provided an additional $500,000 for the Mud Mountain Dam, White River, Washington, project for the design of fish passage facilities.

The conference agreement includes a total of $41,100,000 for the Levisa and Tug Forks of the Big Sandy River and Upper Cumberland River project. The amount provided includes funds for the individual project elements as described in the House and Senate reports.

The conference agreement includes $4,000,000 for the Aquatic Plant Control Program. With the funds provided, the Corps of Engineers is directed to undertake the projects listed in the House and Senate reports. The amount provided for the removal of aquatic weeds in the Lavaca and Navidad Rivers in Texas is $300,000.

The conferees direct the Corps of Engineers to undertake the projects listed in the House and Senate reports and any additional projects described below for the various continuing authorities programs. For those projects in the continuing authorities program that are named in both the House and Senate reports, the conferees direct the Corps of Engineers to use the higher of the two reports funding recommendation for that project. The recommended funding levels for these programs are as follows: Section 206—$20,000,000; Section 204—$1,500,000; Section 14—$9,000,000; Section 205—$40,000,000; Section 111—$1,470,000; Section 107—$15,000,000; Section 1135—$20,400,000; Section 103—$5,000,000; and Section 208—$1,000,000. The conferees are aware that there are funding requirements for ongoing continuing authorities projects that may not be accommodated within the funds provided for each program. It is not the intent of the conferees that ongoing projects be terminated. If additional funds are needed during the year to keep ongoing work in any program on schedule, the conferees urge the Corps of Engineers to reprogram funds into the program.

The amount provided for the Section 1135 program does not include funds for the Garrows Bend Restoration project in Mobile, Alabama. That project has been funded in the Operation and Maintenance account. The amount provided for the Section 1135 program includes $250,000 for a feasibility study of restoration activities at Horseshoe Lake, Arkansas, and $400,000 for the Tunica Lake Weir, Mississippi, project.

The amount provided for the Section 206 program includes $100,000 for the Milford Pond restoration project in Massachusetts; $10,000 for the Borough of Fair Haven, Monmouth County, New Jersey, project; and $10,000 for the Grover's Mill Pond, Township of West Windsor, Mercer County, New Jersey, project. Funds are not included for the Lake Weamaconk, New York, project and the Oak Orchard Creek and Tonawanda Creek Watersheds, New York, project. As part of the fiscal year 2001 appropriations process, the Secretary of the Army was directed to reimburse the East Bay Municipal Utility District for expenses at Penn Mine located in Calaveras County, California. The conferees have learned that reimbursement has not occurred as required. The conferees direct the Secretary to reimburse the East Bay Municipal Utility District $4,100,000 from funds previously appropriated under the Section 206 program for costs incurred at Penn Mine for work carried out by East Bay Municipal Utility District for the project. Such amounts shall be made available to the East Bay Municipal Utility District not later than 60 days after the date of enactment of this Act.

The amount provided for the Section 205 program includes $424,000 for the Sumava, Indiana, project and $1,000,000 for the Deer Creek, Illinois, project. In addition, the conferees urge the Corps of Engineers to proceed with design of the Mad Creek flood control project in Iowa.

The amount provided for the Section 111 program includes $170,000 for the Dauphin Island, Alabama, project.

The amount provided for the Section 107 program includes $3,000,000 for the Lake Shore State Park, Wisconsin, project.

The conferees have included language in the bill earmarking funds for the following projects in the amounts specified: San Timoteo Creek (Santa Ana River Mainstem), California, $8,000,000; Indianapolis Central Waterfront, Indiana, $9,000,000; Southern and Eastern Kentucky, $4,000,000; Clover Fork, City of Cumberland, Town of Martin, Pike County (including Levisa Fork and Tug Fork Tributaries), Bell County, Floyd County, Martin County, and Harlan County, Kentucky, elements of the Levisa and Tug Forks of the Big Sandy River and Upper Cumberland River project, $15,450,000; and the Lower Mingo County (Kermit), Upper Mingo County (including County Tributaries), Wayne County, and McDowell County, West Virginia, elements of the Levisa and Tug Forks of the Big Sandy River and Upper Cumberland River project, $5,900,000.

The conference agreement deletes language proposed by the House regarding the San Gabriel Basin Restoration Fund project. Funds for this project are included in the Bureau of Reclamation's Water and Related Resources account.

The conference agreement includes language proposed by the House which directs the Corps of Engineers to modify the Carr Creek Lake, Kentucky, project to provide additional water supply storage for the Upper Kentucky River Basin.

The conferees have included language proposed by the House directing the Corps of Engineers to undertake design deficiency repairs to the Bois Brule Drainage and Levee District, Missouri, project with cost sharing consistent with the original project authorization and to increase the authorized level of protection of the Bois Brule Drainage and Levee District, Missouri, project from 50 to 100 years.

The conference agreement includes language proposed by the Senate which directs the Corps of Engineers to conduct technical studies of individual ditch systems identified by the State of Hawaii and to assist the State in diversification by helping define the cost of repairing and maintaining selected ditch systems. The conference agreement also includes language proposed by the Senate which directs the Corps of Engineers to use $1,300,000 to continue construction of the Kaumalapau Harbor, Hawaii, project.

The conferees have agreed to include language proposed by the Senate regarding the Brunswick County Beaches, North Carolina, project. The language has been amended to direct the Corps of Engineers to continue preparation of a General Reevaluation Report for the Oak Island, Caswell Beach, and Holden Beach segments of the project.

The conference agreement includes language proposed by the Senate directing the Corps of Engineers to undertake the Bowie County Levee, Texas, project.

The conferees have included language proposed by the Senate directing the Corps of Engineers to use $4,000,000 of the funds provided for the Dam Safety and Seepage/Stability Correction program to continue construction of seepage control features at Waterbury Dam, Vermont.

The conference agreement includes language directing the Corps of Engineers to complete the Aloha-Rigolette, Louisiana, project.

The conference agreement includes language directing the Corps of Engineers to proceed with the Shoalwater Bay Shoreline, Washington, project.

The conferees have agreed to include language in the bill directing the Corps of Engineers to proceed with a final design and initiate construction for the repair and replacement of the Jicarilla Municipal Water System in Dulce, New Mexico.

The conference agreement includes language which directs the Corps of Engineers to proceed with the Missouri River Restoration project and which provides that erosion control measures implemented shall be primarily through nonstructural means such as planting of native vegetation, bugger strips, conservation easements, setbacks, and agricultural best management practices.

The conference agreement includes language directing the Corps of Engineers to construct the Dallas Floodway Extension, Texas, project in accordance with the Chief of Engineers report dated December 7, 1999.

The conferees have included language in the bill extending by one year the due date for a progress report required by the Consolidated Appropriations Act, 2001, on implementing a program of environmental infrastructure improvements in northern Wisconsin.

The conference agreement includes language directing the Corps of Engineers to use funds previously appropriated for the Salyersville, Kentucky, project to construct additional recreation improvements at the Buckhorn Lake, Kentucky, project.

The conference agreement includes language directing the Corps of Engineers to initiate construction of the Seward Harbor, Alaska, project in accordance with the Report of the Chief of Engineers dated June 8, 1999.

The conferees have included language directing the Corps of Engineers to use previously appropriated funds to reimburse the City of Venice, Florida, for work accomplished by the City as part of the Sarasota County, Florida, project.

The conference agreement includes language directing the Corps of Engineers to undertake emergency bank protection measures at Lakeshore Park in Knoxville, Tennessee.

The conference agreement includes language proposed by the Senate which directs the Corps of Engineers to continue the Dickenson County, Virginia, Detailed Project Report.

The conferees have included language proposed by the Senate providing that the non-Federal sponsor for the Lebanon, New Hampshire, project shall receive credit toward the non-Federal cost of the project for work performed before execution of the project cooperation agreement.

The conference agreement includes language proposed by the House under Operation and Maintenance regarding the Raritan River Basin, Green Brook Sub-Basin, New Jersey, project. The Senate had proposed similar language under General Provisions, Corps of Engineers—Civil.

The conference agreement deletes language proposed by the Senate regarding the Horseshoe Lake, Arkansas, project. Funds for this project have been included within

the amount provided for the Section 1135 program.

The conference agreement deletes language proposed by the Senate providing funds for the Red River Emergency Bank Protection, Arkansas, project. The amount appropriated for Construction, General includes $3,000,000 for this project.

The conference agreement deletes language proposed by the Senate regarding the Embrey Dam, Virginia, project. Funds for this project have been included in the amount appropriated for Construction, General.

The conferees direct that $2,000,000 of the funds provided in the Consolidated Appropriations Act, 2001, for the Abandoned and Inactive Noncoal Mine Restoration Program shall be provided for clean-up activities in Nevada.

FLOOD CONTROL, MISSISSIPPI RIVER AND TRIBUTARIES, ARKANSAS, ILLINOIS, KENTUCKY, LOUISIANA, MISSISSIPPI, MISSOURI, AND TENNESSEE

The conference agreement appropriates $345,992,000 for Flood Control, Mississippi River and Tributaries, instead of $347,655,000 as proposed by the House and $328,011,000 as proposed by the Senate.

The conference agreement includes $45,000,000 for the Channel Improvement construction program. The amount provided includes $500,000 to initiate dike construction at Keyes Point, Arkansas; Kate Aubrey, Arkansas; and Ashport-Goldust, Arkansas and Tennessee.

The conference agreement includes $49,547,000 for the Mississippi River Levees construction program. The amount provided includes $4,100,000 to construct improvements in the vicinity of New Madrid, Missouri, as described in the House Report. In addition, the conferees have included $600,000 for the Corps of Engineers to prepare a design and cost estimate for the Lower Mississippi River Museum and Riverfront Interpretive Site at Vicksburg, Mississippi, generally in accordance with the conceptual plan prepared by the City of Vicksburg, as authorized by the Water Resources Development Act of 1992, and amended by the Water Resources Development Act of 2000.

The conference agreement includes $12,000,000 to continue construction of the Grand Prairie project in Arkansas, including construction of features to withdraw water from the White River. The conferees are aware that the irrigation district that would be the local sponsor for this project has not yet been formed. Formation of the district would be a significant step in advancing this project.

The conferees have provided $25,400,000 for the Atchafalaya Basin project and direct the Corps of Engineers to use these funds for the Bayou Yokely pumping station and other projects within the basin. Further, the conferees restrict funds from being used on any action that would decrease the water quality on Bayou Lafourche until water quality experts responsible for municipal water supplies from the bayou support these project elements.

The conferees recognize that the realization of benefits derived from the Atchafalaya Basin Floodway System project is dependent upon the continuation of construction engineering and design work for water management and recreational features of the Myette Point, Buffalo Cove, and Flat Lake elements. The Corps of Engineers is directed to continue work on these components.

The conference agreement includes language directing the Corps of Engineers to convey certain real property to the Board of Mississippi Levee Commissioners.

OPERATION AND MAINTENANCE, GENERAL

The conference agreement appropriates $1,874,803,000 for Operation and Maintenance, General instead of $1,864,464,000 as proposed by the House and $1,833,263,000 as proposed by the Senate.

The conference agreement includes $29,600,000 for the Mobile Harbor, Alabama, project. The amount provided includes $5,000,000 for the Corps of Engineers to remove, transport, dispose, and remediate sediments in the Arlington Channel and in the Garrows Bend Channel in Mobile Harbor, Alabama, and in areas adjacent to these Federal navigation channels. The conferees have included language in the bill directing the Corps of Engineers to proceed with this work.

The conference agreement includes $1,000,000 above the budget request for the St. Mary's River, Michigan, project for additional dredging of the lower St. Mary's River.

The conferees have provided $9,911,000 for the Garrison Dam, Lake Sakakawea, North Dakota, project, an increase of $800,000 over the budget request. The additional funds are provided for maintenance and upgrading of recreational facilities and for mosquito control in Williston, North Dakota.

Of the amount provided for the Delaware River, Philadelphia to the Sea, project, $2,000,000 is for the Corps of Engineers to continue construction of facilities to control erosion of the shoreline in the vicinity of Pea Patch Island located in the Delaware River east of Delaware City, Delaware.

The conferees direct the Corps of Engineers to use the funds provided above the budget request for the Francis E. Walter Dam, Pennsylvania, project to conduct a road relocation study at the dam.

The amounts provided above the budget request for the Little Goose Lock and Dam, Washington; The Dalles Lock and Dam, Oregon and Washington; Bonneville Lock and Dam, Oregon and Washington; and John Day Lock and Dam, Oregon and Washington, projects are to fund new requirements implementing the Federal Columbia River Power System biological opinion.

Pursuant to Public Law 105–104 and Public Law 105–105, the States of Alabama, Florida, and Georgia have been engaged in negotiations since 1997 over the reallocation of water storage in Federal reservoirs operated by the Corps of Engineers in the Apalachicola-Chattahoochee-Flint and Alabama-Coosa-Tallaposa River Basins. The conferees understand that the States may be close to reaching an agreement on new allocation formulas that will reallocate storage at the Federal reservoirs located on these river basins. The conferees recognize that these projects were constructed pursuant to Acts of Congress which prescribed how the reservoirs shall operate. The conferees therefore request that the Corps report to the House and Senate Committees on Appropriations on how the Corps will account for hydropower benefits lost as a result of the new allocation formulas.

The conference agreement includes $5,000,000 for the transfer of the Fox River project in Wisconsin to the State of Wisconsin. The conferees are aware that additional funds will be required to complete the transfer, and urge the Corps of Engineers to reprogram the necessary funds in fiscal year 2002. If the transfer cannot be completed in fiscal year 2002, it is the intent of the conferees to provide the additional funds in fiscal year 2003 for this effort.

The conferees are aware of the lead-time required to repair and rehabilitate recreational facilities for the upcoming Lewis and Clark Bicentennial Commemoration. Therefore, the Corps of Engineers may, within available funds, perform maintenance and repair of these facilities as is considered necessary to accommodate the anticipated visitor population.

The conference agreement includes language proposed by the House directing the Corps of Engineers to perform cultural resource mitigation and recreation improvements at Waco Lake, Texas. The language has been amended to delete the dollar amount; however, the conference agreement includes $1,500,000 for this project as proposed by the House.

The conferees have included language proposed by the House which directs the Corps of Engineers to grade the basin within the Hansen Dam feature of the Los Angeles County Drainage Area, California, project to enhance and maintain flood control and provide for future use of the basin for compatible purposes consistent with the Master Plan. The language has been amended to delete the dollar amount; however, the conference agreement includes $2,000,000 for this work as proposed by the House.

The conference agreement includes language proposed by the House which directs the Corps of Engineers to investigate the development of an upland disposal site recycling program. The language has been amended so that the following projects are to be included in this program: Black Warrior and Tombigbee Rivers; Alabama—Coosa Rivers; and Mobile River. The language has been amended to delete the dollar amount; however, the conference agreement includes $1,000,000 for the work as proposed by the House.

The conference agreement includes language proposed by the Senate which directs the Corps of Engineers to reimburse the State of Delaware for operation and maintenance costs incurred by the State for the SR1 Bridge over the Chesapeake and Delaware Canal.

The conferees have included language proposed by the Senate directing the Corps of Engineers to remove and reinstall the docks and causeway at Astoria East Boat Basin in Oregon. The language has been amended to also direct the Corps of Engineers to continue the breakwater repairs at the project. The language has also been amended to delete the dollar amount; however, the conference agreement includes $3,000,000 for this work.

The conferees have included language proposed by the Senate directing the Corps of Engineers to dredge a channel from the mouth of Wheeling Creek to Tunnel Green Park in Wheeling, West Virginia. The language has been amended to delete the dollar amount; however, the conference agreement includes $2,000,000 for this project as proposed by the Senate.

The conference agreement includes language proposed by the Senate which provides for the development of a long-term dredged material management plan for the Apalachicola, Chattahoochee, and Flint Rivers project. The language has been amended to provide that $4,900,000 shall be available for the dredged material management plan and the $8,000,000 shall be available for operation and maintenance of the project.

The conference agreement deletes language proposed by the House regarding the Raritan River Basin, Green Brook Sub-Basin, New Jersey, project. This language has been included under the Construction, General account.

The conference agreement deletes language proposed by the Senate providing funds for a study of the best use of sand dredged from Morehead City Harbor, North Carolina, and providing funds for dredging of the Sagamore Creek Channel in New Hampshire. Funds for these projects have been provided in the amount appropriated for Operation and Maintenance, General.

The conference agreement deletes language proposed by the Senate providing

funds for activities related to selection of a permanent disposal site for environmentally sound dredged material from projects in the State of Rhode Island. Funds for this work are included in the amount provided for the Providence River and Harbor project.

The conferees agree that centralized management of project funds is efficient and is allowed under current guidelines for certain activities. These activities include but are not limited to the program development system known as the Automated Budget System; the National Recreation Reservation System; the provision of uniforms for those required to wear them; the Volunteer Clearinghouse; the Water Safety Program; the transition from government-owned/contractor-operated to private ownership and operation of the SHOALS system; and the Sign Standards Program. The conferees direct the Corps of Engineers to disclose the costs of these activities in its budget justifications.

FLOOD CONTROL AND COASTAL EMERGENCIES

(RESCISSION)

The conferees have agreed to rescind $25,000,000 of the $50,000,000 appropriated in Public Law 107–20 for Flood Control and Coastal Emergencies. Corps of Engineers requirements under this program have been less than anticipated.

REGULATORY PROGRAM

The conference agreement appropriates $127,000,000 for the Regulatory Program instead of $128,000,000 as proposed by the House and the Senate.

FORMERLY UTILIZED SITES REMEDIAL ACTION PROGRAM

The conference agreement appropriates $140,000,000 for the Formerly Utilized Sites Remedial Action Program as proposed by the House and the Senate.

REVOLVING FUND

The conferees have learned that the Corps of Engineers is considering a proposal to finance a major new software development from the assets of the Revolving Fund. This Fund was established in 1953 to acquire plant and equipment that would be utilized by more than one project. The conferees have noted that in recent years the Fund has been used to acquire and develop automation systems and have from time to time expressed concern with this use of the Fund. Before the conferees will concur in further use of the Fund in this manner, the Corps is directed to present appropriate justification to the House and Senate Appropriations Subcommittees on Energy and Water Development. This justification must include an appropriate and complete economic analysis.

GENERAL EXPENSES

The conference agreement appropriates $153,000,000 for General Expenses as proposed by the House and the Senate. The conference agreement includes language proposed by the House which prohibits the use of funds to support a congressional affairs office within the executive office of the Chief of Engineers.

GENERAL PROVISIONS

CORPS OF ENGINEERS-CIVIL

Section 101. The conference agreement includes language proposed by the House directing the Secretary of the Army to transfer property at Tuttle Creek Lake, Kansas, to the Blue Township Fire District, Blue Township, Kansas.

Section 102. The conference agreement includes language proposed by the House which directs the Secretary of the Army to carry out shore protection projects in accordance with the cost sharing provisions contained in existing project cooperation agreements with an amendment to include the text of section 111 of the Senate bill which provides that the Secretary of the Army may not accept or solicit non-Federal contributions for shore protection projects in excess of the minimum requirements established by law.

Section 103. The conference agreement includes language proposed by the Senate which places a limit on credits and reimbursements allowable per project and annually.

Section 104. The conference agreement includes language proposed by the Senate which directs that none of the funds made available in fiscal year 2002 may used to carry out any activity related to closure or removal of the St. Georges Bridge across the Intracoastal Waterway, Delaware River to Chesapeake Bay.

Section 105. The conference agreement includes language proposed by the Senate which provides that the non-Federal sponsor for the Lava Hot Springs Restoration project in Idaho shall receive credit for lands, easements, relocations, rights-of-way, and disposal areas acquired before execution of the project cooperation agreement.

Section 106. The conference agreement includes language proposed by the Senate amending the authorization for the Guadalupe River, California, project.

Section 107. The conference agreement includes language proposed by the Senate regarding a designation of nonnavigability for portions of Gloucester County, New Jersey.

Section 108. The conference agreement includes language proposed by the Senate making technical corrections to the authorization for the Nome Harbor, Alaska, project.

Section 109. The conference agreement includes language proposed by the Senate which amends section 211 of the Water Resources Development Act of 2000. The language has been amended to make a technical correction.

Section 110. The conference agreement includes language proposed by the Senate which extends the authorization for appropriations for the Missouri and Middle Mississippi Rivers Enhancement Project by one year.

Section 111. The conference agreement amends language proposed by the Senate regarding the correction of a design deficiency for the Fort Fairfield, Maine, project.

Section 112. The conference agreement includes language proposed by the Senate directing the Secretary of the Army to reassess the allocation of Federal and non-Federal costs for construction of the Cerrillos Dam project in Puerto Rico.

Section 113. The conference agreement includes language proposed by the Senate amending the cost sharing provisions of section 704 of the Water Resources Development Act of 1986.

Section 114. The conference agreement includes language amending the authorization for the Ramapo River at Oakland, New Jersey, project.

Section 115. The conference agreement includes language proposed by the House regarding the use of the dredge McFARLAND. The provision has been amended by deleting the reference to placing the dredge in the active ready reserve. The conferees agree that this limitation on the use of the McFARLAND should not be considered a precedent for any other Corps of Engineers dredge, especially any dredge operating in the ports and harbors of the Northwest, where fewer commercial dredges are available and travel times to move dredges to that part of country are longer than on the east and gulf coasts. The conferees direct the General Accounting Office to conduct an economic and technical study to evaluate the benefits and impacts of the minimum dredge fleet. The study shall include an assessment on the capability and capacity of the private dredging industry to effectively respond to and accomplish the unique work the dredge McFARLAND has historically performed, with the viewpoints of all stakeholders included. The conferees expect the study to be completed within 180 days and the results transmitted to the authorization and appropriations committees.

Section 116. The conference agreement includes language proposed by the Senate regarding revisions to the Missouri River Master Water Control Manual.

Provisions not included in the conference agreement.—The conference agreement does not include language proposed by the House regarding the San Gabriel Basin Restoration Project in California. This matter has been addressed in Title II.

The conference agreement does not include language proposed by the House regarding revisions to the Missouri River Master Water Control Manual.

The conference agreement deletes language proposed by the Senate regarding funding for the Demonstration Erosion Control project in Mississippi, and the Perry Lake, Kansas, project. Funding for those projects is included in the amounts appropriated for Flood Control, Mississippi River and Tributaries, and Operation and Maintenance, General, respectively.

The conference agreement deletes language proposed by the Senate regarding the Mad Creek flood control project, which has been funded within the amount provided for the section 205 program under Construction, General.

The conference agreement deletes language proposed by the Senate regarding dredging of the McClellan-Kerr Arkansas River Navigation Project. The conferees agree that the Corps of Engineers should undertake advance maintenance of the project when appropriate to facilitate the movement of commercial navigation traffic.

The conference agreement deletes language proposed by the Senate regarding the Raritan River Basin, Green Brook Sub-Basin, New Jersey, project. This matter has been addressed under Construction, General.

CORPS OF ENGINEERS - GENERAL INVESTIGATIONS

PROJECT TITLE	BUDGET REQUEST INVESTIGATIONS	BUDGET REQUEST PLANNING	CONFERENCE INVESTIGATIONS	CONFERENCE PLANNING
ALABAMA				
ALABAMA RIVER BELOW CLAIBORNE LOCK AND DAM, AL	300	---	300	---
BALDWIN COUNTY SHORE PROTECTION, AL	100	---	100	---
BALDWIN COUNTY WATERSHEDS, AL	50	---	50	---
BAYOU LA BATRE, AL	50	---	50	---
BLACK WARRIOR AND TOMBIGBEE RIVERS, AL	300	---	---	---
BREWTON AND EAST BREWTON, AL	50	---	50	---
CAHABA RIVER WATERSHED, AL	160	---	160	---
DOG RIVER, AL	250	---	250	---
LUBBUB CREEK, AL	50	---	50	---
SPRING CREEK, TUSCUMBIA, AL	---	---	100	---
TUSCALOOSA, AL	---	---	100	---
VILLAGE CREEK, JEFFERSON COUNTY (BIRMINGHAM WATERSHED)	250	---	250	---
ALASKA				
AKUTAN HARBOR, AK	---	100	---	100
ANIAK HARBOR, AK	---	---	100	---
ANCHOR POINT HARBOR, AK	50	---	50	---
ANCHORAGE HARBOR DEEPENING, AK	100	---	500	---
BARROW COASTAL STORM DAMAGE REDUCTION, AK	100	---	250	---
CHANDALAR RIVER WATERSHED, VENETIE INDIAN, AK	50	---	50	---
CHENA RIVER WATERSHED, AK	100	---	100	100
CRAIG HARBOR, AK	50	---	50	---
DELONG MOUNTAIN HARBOR, AK	200	---	500	---
DOUGLAS HARBOR EXPANSION, AK	---	100	---	100
FALSE PASS HARBOR, AK	---	100	---	313
FIRE ISLAND CAUSEWAY, AK	---	---	100	---
HAINES HARBOR, AK	150	---	---	165
HARDING LAKE WATERSHED, AK	50	---	100	---

KENAI RIVER BLUFF EROSION, AK	---	---	500	---
KETCHIKAN HARBOR, AK	50	---	100	---
KOTZEBUE SMALL BOAT HARBOR, AK	50	---	100	---
LITTLE DIOMEDE HARBOR, AK	50	---	150	---
MEKORYUK HARBOR, AK	50	---	100	---
MATANUSKA REOSION CONTROL, AK	---	---	100	---
PERRYVILLE HARBOR, AK	40	---	150	---
PORT LIONS HARBOR, AK	96	---	150	---
QUINHAGAK HARBOR, AK	50	---	50	---
SAINT GEORGE NAVIGATION IMPROVEMENTS, AK	50	---	150	---
SHIP CREEK WATERSHED, AK	50	---	50	100
SITKA HARBOR, AK	50	---	200	---
SKAGWAY HARBOR MODIFICATION, AK	138	---	138	---
SKAGWAY RIVER FLOOD CONTROL	---	---	100	---
UNALAKLEET HARBOR, AK	50	---	50	---
UNALASKA HARBOR, AK	---	226	---	226
VALDEZ HARBOR EXPANSION, AK	---	150	---	150
WHITTIER BREAKWATER, AK	150	---	150	---
AMERICAN SAMOA				
TUTUILA HARBOR, AS	124	---	124	---
ARIZONA				
AGUA FRIA RIVER, AZ	---	---	100	---
COLONIAS ALONG THE US - MEXICO BORDER, AZ	---	---	---	100
GILA RIVER, NORTHEAST PHOENIX DRAINAGE AREA, AZ	143	---	143	---
LITTLE COLORADO RIVER, AZ	100	---	100	---
PIMA COUNTY, AZ	400	---	400	---
RILLITO RIVER, PIMA COUNTY, AZ	200	---	410	---
RIO DE FLAG, FLAGSTAFF, AZ	---	230	---	750
RIO SALADO ESTE, AZ	100	---	100	---
RIO SALADO OESTE, SALT RIVER, AZ	300	---	300	---
SANTA CRUZ RIVER, GRANT RD TO FT LOWELL RD, AZ	100	---	300	---
SANTA CRUZ RIVER, PASEO DE LAS IGLESIAS, AZ	300	---	400	---
TRES RIOS, AZ	---	270	---	1,500

CORPS OF ENGINEERS - GENERAL INVESTIGATIONS

PROJECT TITLE	BUDGET REQUEST		CONFERENCE	
	INVESTIGATIONS	PLANNING	INVESTIGATIONS	PLANNING
TUCSON DRAINAGE AREA, AZ	---	208	---	410
VA SHLY-AY AKIMEL SALT RIVER RESTORATION PROJECT, AZ	100	---	400	---
ARKANSAS				
ARKANSAS RIVER LEVEES, AR	---	187	---	187
ARKANSAS RIVER NAVIGATION STUDY, AR & OK	1,200	---	1,200	---
MAY BRANCH, FORT SMITH, AR	---	200	---	200
NORTH LITTLE ROCK, DARK HOLLOW, AR	---	400	---	500
PINE MOUNTAIN DAM, AR	---	---	---	200
RED RIVER WATERWAY, AR, LA, OK, TX	---	---	100	---
RED RIVER NAVIGATION STUDY, SOUTHWEST ARKANSAS, AR	450	---	500	---
WHITE RIVER BASIN COMPREHENSIVE, AR & MO	581	---	581	---
WHITE RIVER MINIMUM FLOWS, AR	213	---	363	---
WHITE RIVER NAVIGATION, AR	---	---	169	---
CALIFORNIA				
ALISO CREEK MAINSTEM, CA	50	---	200	---
AMERICAN RIVER WATERSHED, CA	---	2,000	---	2,600
ARANA GULCH WATERSHED, CA	---	---	100	---
ARROYO PASAJERO, CA	---	20	---	20
ARROYO PASAJERO, CA	318	---	480	---
ARROYO SECO WATERSHED, CA	---	---	100	---
BALLONA CREEK ECOSYSTEM RESTORATION, CA	---	---	100	---
BOLINAS LAGOON ECOSYSTEM RESTORATION, CA	---	300	---	750
COYOTE DAM, CA	---	---	100	---
CITY OF SAN BERNARDINO, CA	---	---	250	---
CITY OF SANTA CLARITA, CA	---	---	100	---
CITY OF WESTMINSTER FLOOD CONTROL DRAINAGE STUDY, CA	100	---	100	---
COAST OF CALIFORNIA, LOS ANGELES COUNTY, CA	---	---	400	---
GRAYSON AND MURDERER'S CREEK, WALNUT CREEK, CA	---	---	100	---

HUNTINGTON BEACH COASTAL BLUFF EROSION, CA.....	---	---	---	400
LAGUNA DE SANTA ROSA, CA.....	200	---	200	---
LLAGAS CREEK, CA.....	---	250	---	500
LOS ANGELES COUNTY, CA.....	200	---	350	---
LOS ANGELES HARBOR MAIN CHANNEL DEEPENING, CA.....	---	600	---	---
LOS ANGELES RIVER WATERCOURSE IMPROVEMENT, CA.....	100	---	100	---
LOWER MISSION CREEK, CA.....	---	150	---	150
MALIBU CREEK WATERSHED, CA.....	200	---	200	---
MARIN COUNTY SHORELINE, SAN CLEMENTE CREEK, CA.....	50	---	250	---
MARINA DEL REY AND BALLONA CREEK, CA.....	169	---	400	---
MATILIJA DAM, CA.....	400	---	523	---
MIDDLE CREEK, CA.....	---	300	---	300
MOJAVE RIVER FORKS DAM, CA.....	200	---	200	---
MORRO BAY ESTUARY, CA.....	150	---	400	---
MUGU LAGOON, CA.....	250	---	250	---
MURRIETA CREEK, CA.....	---	250	---	1,000
N CA STREAMS, DRY CREEK, MIDDLETOWN, CA.....	150	---	150	---
N CA STREAMS, LOWER CACHE CRK, YOLO CNTY, WOODLAND & V	568	---	568	100
N CA STREAMS, LOWER SACRAMENTO RVR RIPARIAN REVEGETATI	100	---	100	---
NAPA RIVER, SALT MARSH RESTORATION, CA.....	300	---	300	---
NAPA VALLEY WATERSHED MANAGEMENT, CA.....	250	---	250	---
NEWPORT BAY HARBOR, CA.....	---	280	---	600
NEWPORT BAY (LA - 3 SITE DESIGNATION STUDY), CA.....	---	---	300	---
NEWPORT BAY/SAN DIEGO CREEK WATERSHED, CA.....	300	---	450	---
OCEAN BEACH, CA.....	---	---	100	---
ORANGE COUNTY, SANTA ANA RIVER BASIN, CA.....	200	---	200	---
ORANGE COUNTY COAST BEACH EROSION, CA.....	---	---	400	---
ORANGE COUNTY SPECIAL AREA MANAGEMENT PLAN, CA.....	---	---	139	---
PAJARO RIVER AT WATSONVILLE, CA.....	---	750	---	1,000
PAJARO RIVER BASIN STUDY, CA.....	50	---	50	---
PENINSULA BEACH CITY OF LONG BEACH), CA.....	---	---	200	---
PINE FLAT DAM, FISH AND WILDLIFE HABITAT RESTORATION,.	---	400	---	400
PORT OF STOCKTON, CA.....	---	---	200	---
POSO CREEK, CA.....	200	---	200	---
RANCHO PALOS VERDES, CA.....	---	100	---	---
REGIONAL CONSERVATION/CONJUNCTIVE USE PROJECT, CA.....	---	---	200	---
RIVERSIDE COUNTY SPECIAL AREA MANAGEMENT PLAN, CA.....	---	---	2,000	---
ROCK CREEK - KEEFER SLOUGH, CA.....	---	---	---	200

CORPS OF ENGINEERS - GENERAL INVESTIGATIONS

PROJECT TITLE	BUDGET REQUEST INVESTIGATIONS	BUDGET REQUEST PLANNING	CONFERENCE INVESTIGATIONS	CONFERENCE PLANNING
RUSSIAN RIVER ECOSYSTEM RESTORATION, CA	300	---	300	---
SACRAMENTO - SAN JOAQUIN DELTA, CA	300	---	300	---
SACRAMENTO AND SAN JOAQUIN COMPREHENSIVE BASIN STUDY,	4,479	---	5,500	---
SAN BERNARDINO COUNTY, CA	200	---	200	---
SAN CLEMENTE SHORELINE, CA	100	---	400	---
SAN DIEGO COUNTY SPECIAL AREA MANAGEMENT PLAN, CA	---	---	1,000	---
SAN DIEGO COUNTY SHORELINE, CA	---	---	1,000	---
SAN FRANCISCO BAY, CA	300	---	300	---
SAN GABRIEL RIVER TO NEWPORT BAY, CA	---	---	400	---
SAN JACINTO RIVER, CA	300	---	300	---
SAN JOAQUIN R BASIN, STOCKTON METRO AREA, FARMINGTON D	---	200	---	200
SAN JOAQUIN RIVER BASIN, CONSUMNES & MOKELUMNE RIVERS,	350	---	350	---
SAN JOAQUIN RIVER BASIN, FRAZIER CREEK, CA	25	---	100	---
SAN JOAQUIN RIVER BASIN, STOCKTON METROPOLITAN AREA, C	---	100	---	100
SAN JOAQUIN RIVER BASIN, STOCKTON METROPOLITAN AREA, C	50	---	50	---
SAN JOAQUIN RIVER BASIN, TUOLUMNE RIVER, CA	200	---	350	---
SAN JOAQUIN RIVER BASIN, WEST STANISLAUS COUNTY, CA	160	---	500	---
SAN JUAN CREEK, SOUTH ORANGE COUNTY, CA	100	---	100	---
SAN LUIS OBISPO, CA	100	---	100	---
SAN PABLO BAY WATERSHED, CA	300	---	300	---
SANTA ANA RIVER AND TRIBUTARIES, BIG BEAR LAKE, CA	---	---	100	---
SANTA BARBARA AND VENTURA COUNTY SHORELINE, CA	---	---	100	---
SANTA CLARA RIVER, CITY OF SANTA CLARITA, CA	---	---	100	---
SANTA CRUZ PORT, CA	---	---	100	---
SANTA ROSA CREEK WATERSHED, CA	300	---	300	---
SANTA YNEZ RIVER, CA	100	---	100	---
SOLONO BEACH - ENCINITAS, CA	---	---	500	---
SONOMA CREEK & TRIBUTARIES, CA	300	---	300	---
SOUTH SACRAMENTO COUNTY STREAMS, CA	---	100	---	---
STRONG AND CHICKEN RANCH SLOUGHS, CA	75	---	75	---
SUTTER COUNTY, CA	300	---	300	---

TIJUANA RIVER ENVIRONMENTAL RESTORATION, CA	200	---	200	---
TULE RIVER, CA	---	400	---	---
UPPER GUADALUPE RIVER, CA	---	300	---	300
UPPER PENITENCIA CREEK, CA	300	---	400	---
UPPER SANTA ANA RIVER WATERSHED, CA	200	---	200	---
VENTURA HARBOR SAND BYPASS, CA	250	---	400	---
WESTMINSTER, CA	---	---	300	---
WESTSIDE TRIBUTARIES TO YOLO BYPASS, CA	---	50	---	50
WHITE RIVER AND DEER CREEK, CA	25	---	25	---
WHITEWATER RIVER BASIN, CA	---	---	---	1,000
WILDCAT & SAN PABLO CREEKS, CA	---	---	100	---
YUBA RIVER BASIN, CA	---	780	---	780
COLORADO				
CHATFIELD, CHERRY CREEK AND BEAR CREEK RESERVOIRS, CO.	250	---	250	---
FOUNTAIN CREEK AND TRIBUTARIES, CO	---	---	175	---
ZUNI AND SUN VALLEY REACHES, SOUTH PLATTE RIVER, CO	200	---	400	---
COMMONWEALTH OF THE NORTHERN MARIANA ISLANDS				
ROTA HARBOR MODIFICATIONS, CNMI	25	---	25	---
TINIAN HARBOR MODIFICATIONS, CNMI	25	---	25	---
DELAWARE				
CHRISTINA RIVER WATERSHEAD, DE	---	---	100	---
DELAWARE COAST FROM CAPE HENLOPEN TO FENWICK ISLAND	---	---	---	200
FLORIDA				
BISCAYNE BAY, FL	240	---	240	---
EGMONT KEY SHORELINE, FL	---	---	500	---
ST. LUCIE COUNTY, FL	---	---	100	---
HILLSBOROUGH RIVER, FL	300	---	375	---
LAKE WORTH INLET, PALM BEACH COUNTY, FL	100	---	100	---
PORT EVERGLADES HARBOR, FL	---	300	---	300
ST PETERSBURG HARBOR, FL	---	---	---	100
WITHLACOOCHEE RIVER, FL	300	---	300	---

CORPS OF ENGINEERS - GENERAL INVESTIGATIONS

PROJECT TITLE	BUDGET REQUEST INVESTIGATIONS	BUDGET REQUEST PLANNING	CONFERENCE INVESTIGATIONS	CONFERENCE PLANNING
GEORGIA				
ALLATOONA LAKE, GA	300	---	300	---
ARABIA MOUNTAIN, GA	60	---	60	---
AUGUSTA, GA	252	---	252	---
INDIAN, SUGAR, ENTRENCHMENT AND FEDERAL PRISON CREEKS,	100	---	100	---
LONG ISLAND, MARSH AND JOHNS CREEKS, GA	100	---	100	---
METRO ATLANTA WATERSHED, GA	175	---	175	---
NEW SAVANNAH BLUFF LOCK AND DAM, GA	---	---	---	800
NORTH GEORGIA WATERSHED STUDY, GA	---	---	300	---
SAVANNAH HARBOR ECOSYSTEM RESTORATION, GA	350	---	350	---
SAVANNAH HARBOR EXPANSION, GA	---	400	---	540
SAVANNAH HARBOR SEDIMENT CONTROL WORKS, GA	---	---	300	---
SAVANNAH RIVER BASIN COMPREHENSIVE, GA & SC	230	---	230	---
UTOY, SANDY AND PROCTOR CREEKS, GA	150	---	150	---
HAWAII				
ALA WAI CANAL, OAHU, HI	350	---	350	---
BARBERS POINT HARBOR MODIFICATION, OAHU, HI	---	100	---	100
HONOLULU HARBOR MODIFICATIONS, OAHU, HI	101	---	101	---
KAHUKU, HI	50	---	50	---
KAWAIHAE DEEP DRAFT HARBOR MODIFICATIONS, HAWAII, HI	225	---	225	---
KIHEI AREA EROSION, HI	50	---	160	---
NAWILIWILI HARBOR, KAUAI, HI	---	---	100	---
WAIKIKI EROSION CONTROL, HI	---	50	---	350
WAILUPE STREAM FLOOD CONTROL, OAHU, HI	---	---	---	100
IDAHO				
BOISE RIVER, BOISE, ID	50	---	50	---

GOOSE CREEK, OAKLEY, ID	150	---	150	---
KOOTENAI RIVER AT BONNERS FERRY, ID	50	---	50	---
LITTLE WOOD RIVER, GOODING, ID	256	---	256	---
PAYETTE AND SNAKE RIVER, ID	150	---	150	---
ILLINOIS				
ALEXANDER AND PULASKI COUNTIES, IL	130	---	130	---
DES PLAINES RIVER, IL (PHASE II)	400	---	400	---
ILLINOIS BEACH STATE PARK (INTERIM 1), IL	---	---	---	250
ILLINOIS RIVER BASIN RESTORATION, IL	---	---	2,000	---
ILLINOIS RIVER ECOSYSTEM RESTORATION, IL	825	---	825	---
KANKAKEE RIVER BASIN, IL & IN	177	---	177	---
NUTWOOD LEVEE, IL	---	---	400	---
PEORIA RIVERFRONT DEVELOPMENT, IL	311	---	311	---
PEORIA RIVERFRONT DEVELOPMENT, IL	---	415	---	415
ROCK RIVER, IL & WI	300	---	300	---
UPPER MISS & ILLINOIS NAV STUDY, IL, IA, MN, MO & WI	3,724	---	3,724	---
UPPER MISS RIVER COMPREHENSIVE STUDY, IL	---	---	1,000	---
UPPER MISS RVR SYS FLOW FREQUENCY STUDY, IL, IA, MN, M	1,200	---	1,200	---
WAUKEGAN HARBOR, IL	---	160	---	160
WOOD RIVER LEVEE, IL	---	341	---	341
INDIANA				
INDIANA HARBOR, IN	250	---	500	---
JOHN T MYERS LOCKS AND DAM, IN & KY	---	2,100	---	2,100
LONG LAKE, IN	---	---	100	---
OHIO RIVER, MADISON, IN	---	---	100	---
WOLF LAKE, IN & IL	100	---	---	---
IOWA				
DES MOINES AND RACCOON RIVERS, IA	450	---	450	---
FORT DODGE, IA	---	---	420	---
LOWER DES MOINES RIVER, IA & MO	---	---	100	---

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PROJECT TITLE	BUDGET REQUEST INVESTIGATIONS	BUDGET REQUEST PLANNING	CONFERENCE INVESTIGATIONS	CONFERENCE PLANNING
KANSAS				
TOPEKA, KS	133	---	133	---
TURKEY CREEK BASIN, KS & MO	---	122	---	400
UPPER TURKEY CREEK, KS	150	---	250	---
WALNUT AND WHITEWATER RIVER WATERSHEDS, KS	200	---	200	---
KENTUCKY				
GREENUP LOCKS AND DAM, OHIO RIVER, KY & OH	---	2,372	---	2,372
LICKING RIVER, CYNTHIANA, KY	252	---	252	---
METROPOLITAN LOUISVILLE, JEFFERSON COUNTY, KY	325	---	325	---
METROPOLITAN LOUISVILLE, MILL CREEK BASIN, KY	264	---	264	---
METROPOLITAN LOUISVILLE, SOUTHWEST, KY	200	---	200	---
NORTH FORK LICKING RIVER, KY	---	---	100	---
OHIO RIVER MAIN STEM SYSTEMS STUDY, KY, IL, IN, PA, WV	1,500	---	1,500	---
LOUISIANA				
AMITE RIVER AND TRIBUTARIES ECOSYSTEM RESTORATION, LA.	300	---	300	---
ASCENSION PARISH, LA	100	---	---	---
ATCHAFALAYA RIVER AND BAYOUS CHENE, BOEUF AND BLACK, L	100	---	300	---
BAYOU SORREL LOCK, LA	---	300	---	300
CALCASIEU LOCK, LA	400	---	500	---
CALCASIEU RIVER BASIN, LA	200	---	300	---
GULF INTERCOASTAL WATERWAY, BANK STABILIZATION AND ECOSYSTEM RESTORATION, LA	---	---	100	---
HURRICANE PROTECTION, LA	100	---	300	---
JEFFERSON PARISH, LA	---	50	---	300
LAFAYETTE PARISH, LA	---	400	---	400

LOUISIANA COASTAL AREA ECOSYSTEM RESTORATION, LA.....	1,072	---	1,072	---
ORLEANS PARISH, LA.....	---	50	---	50
OUACHITA AND BLACK RIVERS, LA & AR.....	---	---	100	---
PLAQUEMINES PARISH URBAN FLOOD CONTROL, LA.....	100	---	300	---
PORT OF IBERIA, LA.....	---	---	500	---
ST BERNARD PARISH URBAN FLOOD CONTROL, LA.....	300	---	400	---
ST CHARLES PARISH URBAN FLOOD CONTROL, LA.....	100	---	300	---
ST. JOHN THE BAPTIST PARISH, LA.....	---	---	100	---
WEST BATON ROUGE PARISH, LA.....	---	---	500	---
WEST SHORE, LAKE PONTCHARTRAIN, LA.....	197	---	197	---
MARYLAND				
ANACOSTIA RIVER FEDERAL WATERSHED IMPACT ASSESSMENT, M	458	---	458	---
ANACOSTIA RIVER, PG COUNTY LEVEE, MD & DC.....	240	---	240	---
BALTIMORE METRO, GWYNNS FALLS, MD.....	---	50	---	50
CHESAPEAKE BAY SHORELINE, MD, VA, PA & DE.....	---	---	100	---
CUMBERLAND, MD.....	---	175	---	175
EASTERN SHORE, MD.....	250	---	250	---
LOWER POTOMAC ESTUARY WATERSHED, MATTAWOMAN, MD.....	87	---	87	---
LOWER POTOMAC ESTUARY WATERSHED, ST MARY'S, MD.....	190	---	190	---
MIDDLE POTOMAC WATERSHED STUDY, MD & VA.....	---	---	100	---
SMITH ISLAND ENVIRONMENTAL RESTORATION, MD.....	---	300	---	300
MASSACHUSETTS				
BLACKSTONE RIVER WATERSHED RESTORATION, MA & RI.....	100	---	100	---
BOSTON HARBOR, MA (45-FOOT CHANNEL).....	300	---	300	---
COASTAL MASSACHUSETTS ECOSYSTEM RESTORATION, MA.....	100	---	100	---
MUDDY RIVER, BROOKLINE AND BOSTON, MA.....	---	330	---	600
SOMERSET AND SEARSBURG DAMS, DEERFIELD RIVER, MA & VT.	100	---	100	---
MICHIGAN				
BELLE ISLE SHORELINE, DETROIT, MI.....	---	---	150	---
CASS RIVER, VASSAR, MI.....	---	---	100	---
DETROIT RIVER ENVIRONMENTAL DREDGING, MI.....	---	---	200	---

CORPS OF ENGINEERS - GENERAL INVESTIGATIONS

PROJECT TITLE	BUDGET REQUEST INVESTIGATIONS	BUDGET REQUEST PLANNING	CONFERENCE INVESTIGATIONS	CONFERENCE PLANNING
DETROIT RIVER MASTER PLAN, MI	---	---	100	---
GREAT LAKES NAV SYST STUDY, MI, IL, IN, MN, NY, OH, PA	501	---	501	---
ROUGE RIVER WATERSHED, MI	---	---	200	---
SAULT STE MARIE (REPLACEMENT LOCK), MI	---	1,530	---	---
ST CLAIR RIVER AND LAKE ST CLAIR, MI	---	---	200	---
MINNESOTA				
LOWER ST ANTHONY FALLS RAPIDS RESTORATION, MN	---	100	---	---
MINNESOTA DAM SAFETY, MN	---	---	600	---
RED RIVER OF THE NORTH BASIN, MN, ND, SD & MANITOBA, C	500	---	500	---
UPPER MISS RIVER WATERSHED MGMT, LAKE ITASCA TO L/D 2,	200	---	200	---
MISSISSIPPI				
HANCOCK COUNTY, MS	---	---	100	---
MISSISSIPPI GULF COAST, MS	---	---	100	---
MISSOURI				
CHESTERFIELD, MO	---	605	---	605
HANNIBAL HARBOR, MO	175	---	175	---
KANSAS CITYS, MO & KS	580	---	900	---
MISSOURI RIVER LEVEE SYSTEM, UNITS L455 & R460-471, MO	180	---	180	---
NEW MADRID HARBOR, MO	---	---	50	---
RIVER DES PERES, MO	---	242	---	242
ST LOUIS FLOOD PROTECTION, MO	---	98	---	98
ST LOUIS HARBOR, MO & IL	---	284	---	284
ST LOUIS RIVERFRONT, MO & IL	---	---	500	---
SPRINGFIELD, MO	---	---	100	---

SWOPE PARK INDUSTRIAL AREA, KANSAS CITY, MO	---	150	---	150
WEARS CREEK, JEFFERSON, MO	---	---	100	---
MONTANA				
LOWER YELLOWSTONE RIVER DIVERSION DAM, MT	---	25	---	25
YELLOWSTONE RIVER CORRIDOR, MT	325	---	325	---
NEBRASKA				
ANTELOPE CREEK, LINCOLN, NE	---	400	---	400
LOWER PLATTE RIVER AND TRIBUTARIES, NE	350	---	350	---
LOWER PLATTE RIVER WATERSHED, NE	---	---	200	---
SAND CREEK WATERSHED, WAHOO, NE	---	656	---	656
WESTERN SARPY AND CLEAR CREEK, NE	---	90	---	590
NEVADA				
LAS VEGAS WASH, NORTH LAS VEGAS, NV	---	---	100	---
LOWER LAS VEGAS WASH WETLANDS, NV	50	---	725	---
TAHOE BASIN, NV & CA	---	---	1,000	---
TRUCKEE MEADOWS, NV	---	500	---	500
WALKER RIVER BASIN, NV	200	---	200	---
NEW HAMPSHIRE				
CONNECTICUT RIVER ECO SYSTEM RESTORATION, NH & VT	---	---	100	---
MERRIMACK RIVER BASIN, NH	300	---	500	---
NEW JERSEY				
BARNEGAT BAY, NJ	---	300	---	300
BARNEGAT INLET TO LITTLE EGG HARBOR, NJ	---	263	---	263
GOFFLE BROOK, BOROUGH OF HAWTHORNE, NJ	---	---	100	---
GREAT EGG INLET TO TOWNSEND INLET, NJ	---	69	---	200
HUDSON - RARITAN ESTUARY, LOWER PASSAIC RIVER, NJ	200	---	200	---
LOWER PASSAIC RIVER, NJ	75	---	400	---
MANASQUAN INLET TO BARNEGAT INLET, NJ	---	68	---	400

CORPS OF ENGINEERS - GENERAL INVESTIGATIONS

PROJECT TITLE	BUDGET REQUEST INVESTIGATIONS	BUDGET REQUEST PLANNING	CONFERENCE INVESTIGATIONS	CONFERENCE PLANNING
NEW JERSEY INTRACOASTAL WATERWAY, ENV RESTORATION, NJ.	---	150	---	150
NEW JERSEY SHORE PROTECTION, HERFORD/CAPE MAY INLET...	---	---	200	---
NEW JERSEY SHORELINE ALTERNATIVE LONG-TERM NOURISHMENT	---	---	250	---
PASSAIC RIVER, HARRISON, NJ.....	---	100	---	400
PECKMAN RIVER, NJ.....	---	---	100	---
RAHWAY RIVER BASIN, NJ.....	100	---	230	---
RARITAN BAY AND SANDY HOOK BAY, HIGHLANDS, NJ.....	50	---	300	---
RARITAN BAY AND SANDY HOOK BAY, KEYPORT, NJ.....	---	---	350	---
RARITAN BAY AND SANDY HOOK BAY, LEONARDO, NJ.....	250	---	450	---
RARITAN BAY AND SANDY HOOK BAY, PORT MONMOUTH, NJ.....	---	100	---	500
RARITAN BAY AND SANDY HOOK BAY, UNION BEACH, NJ.....	44	---	44	150
SHREWSBURY RIVER AND TRIBUTARIES, NJ.....	50	---	250	---
SOUTH RIVER, RARITAN RIVER BASIN, NJ.....	---	100	---	400
STONY BROOK, MILLSTONE RIVER BASIN, NJ.....	100	---	250	---
UPPER PASSAIC RIVER AND TRIBUTARIES, NJ.....	169	---	169	---
UPPER ROCKAWAY RIVER, NJ.....	200	---	200	---
WOODBRIDGE RIVER BASIN, NJ.....	100	---	250	---
NEW MEXICO				
MIDDLE RIO GRANDE, BOSQUE, NM.....	---	---	350	---
NAVAJO NATION, NM, AZ & VT.....	---	---	100	---
RIO GRANDE BASIN, NM, CO & TX.....	300	---	300	---
SANTA FE, NM.....	---	---	100	---
SW VALLEY FLOOD DAMAGE REDUCTION STUDY, NM.....	---	---	475	---
NEW YORK				
AUSABLE RIVER BASIN, ESSEX AND CLINTON COUNTIES, NY...	50	---	50	---
BOQUET RIVER AND TRIBUTARIES, ESSEX COUNTY, NY.....	50	---	50	---
BRONX RIVER BASIN, NY.....	50	---	300	---
DELAWARE RIVER BASIN COMPREHENSIVE, NY,NJ,DE,PA.....	---	---	500	---

FLUSHING BAY AND CREEK, NY	409	---	409	---
FREEPORT CREEK, VILLAGE OF FREEPORT, NY	75	---	75	---
HUDSON - RARITAN ESTUARY, GOWANUS CANAL, NY & NJ	400	---	400	---
HUDSON - RARITAN ESTUARY, NY & NJ	1,369	---	2,000	---
JAMAICA BAY, MARINE PARK AND PLUMB BEACH, ARVERNE, NY.	50	---	50	---
JAMAICA BAY, MARINE PARK AND PLUMB BEACH, NY	400	---	400	---
LAKE MONTAUK HARBOR,NY	100	---	400	---
LINDENHURST, NY	50	---	50	---
NEW YORK AND NEW JERSEY HARBOR, NY & NJ	---	2,500	---	---
NEW YORK HARBOR ANCHORAGE AREAS, NY	200	---	200	---
NORTH SHORE OF LONG ISLAND, ASHAROKEN, NY	50	---	400	---
NORTH SHORE OF LONG ISLAND, BAYVILLE, NY	100	---	400	---
ONONDAGA LAKE, NY	350	---	350	---
SAW MILL RIVER AND TRIBUTARIES, NY	50	---	50	---
SOUTH SHORE OF LONG ISLAND, NY	50	---	50	---
SOUTH SHORE OF STATEN ISLAND, NY	209	---	209	---
UPPER DELAWARE RIVER WATERSHED, NY	160	---	160	---
UPPER SUSQUEHANNA RIVER BASIN, NY	---	---	250	---
NORTH CAROLINA				
BOGUE BANKS, NC	400	---	400	---
CURRITUCK SOUND, NC	200	---	200	---
DARE COUNTY BEACHES, NC	100	---	600	---
DARE COUNTY BEACHES, NC (BODIE ISLAND PORTION)	---	500	---	1,000
LOCKWOODS FOLLY RIVER, NC	83	---	83	---
NEUSE RIVER BASIN, NC	100	---	100	---
SURF CITY AND NORTH TOPSAIL BEACH, NC	100	---	300	---
TENNESSEE RIVER AND TRIBS, FRANKLIN, MACON COUNTY, NC.	155	---	155	---
NORTH DAKOTA				
DEVILS LAKE, ND	---	1,700	---	1,700
GRAFTON, PARK RIVER, ND	---	60	---	60
OHIO				
ASHTABULA RIVER ENVIRONMENTAL DREDGING, OH	---	583	---	583

CORPS OF ENGINEERS - GENERAL INVESTIGATIONS

PROJECT TITLE	BUDGET REQUEST INVESTIGATIONS	BUDGET REQUEST PLANNING	CONFERENCE INVESTIGATIONS	CONFERENCE PLANNING
BELPRE RIVERFRONT PARK, OH	---	---	200	---
BUTLER COUNTY, OH	100	---	100	---
HOCKING RIVER BASIN ENV RESTORATION, MONDAY CREEK, OH.	178	---	178	---
HOCKING RIVER BASIN ENV RESTORATION, SUNDAY CREEK, OH.	200	---	200	---
LOWER BIG DARBY CREEK BASIN ENVIRONMENTAL RESTORATION,	370	---	370	---
MAHONING RIVER ENVIRONMENTAL DREDGING, HOH	---	---	300	---
MUSKINGUM BASIN SYSTEM STUDY, OH	400	---	400	---
OHIO RIVERFRONT STUDY, CINCINNATI, OH	---	---	100	---
RICHLAND COUNTY, OH	200	---	200	---
UPPER BIG DARBY CREEK BASIN ENVIRONMENTAL RESTORATION,	65	---	65	---
WESTERN LAKE ERIE BASIN, OH	---	---	300	---
OKLAHOMA				
CIMARRON RIVER AND TRIBUTARIES, OK, KS, NM & CO	226	---	226	---
MIAMI AND VICINITY, OK	---	---	300	---
OOLOGAH LAKE WATERSHED STUDY, OK	---	---	350	---
SOUTHEAST OKLAHOMA WATER RESOURCE STUDY, OK	200	---	250	---
WARR ACRES, OK	174	---	174	---
WISTER LAKE WATERSHED, OK	---	---	375	---
OREGON				
AMAZON CREEK, OR	---	---	100	---
LOWER COLUMBIA RIVER ECOSYSTEM RESTORATION, OR & WA	135	---	135	---
TILLAMOOK BAY AND ESTUARY ECOSYSTEM RESTORATION, OR	500	---	500	---
WILLAMETTE RIVER BASIN REVIEW, OR	130	---	130	---
WILLAMETTE RIVER ENVIRONMENTAL DREDGING, OR	369	---	369	---
WILLAMETTE RIVER FLOODPLAIN RESTORATION, OR	170	---	170	---

PENNSYLVANIA				
BLOOMSBURG, PA	250	---	250	---
SCHUYLKILL RIVER, WISSAHICKON, PA	---	---	100	---
RHODE ISLAND				
QUONSET DAVISVILLE PORT, RI	150	---	150	---
RHODE ISLAND ECOSYSTEM RESTORATION, RI	50	---	50	---
RHODE ISLAND SOUTH COAST, HABITAT REST & STRM DMG REDU	---	160	---	160
SOUTH CAROLINA				
ATLANTIC INTRACOASTAL WATERWAY, SC	655	---	655	---
BROAD RIVER BASIN, SC	125	---	125	---
CHARLESTON ESTUARY, SC	50	---	50	---
CHARLESTON HARBOR, SC	---	---	500	---
PAWLEYS ISLAND, SC	100	---	100	---
PAWLEYS ISLAND, SC	---	25	---	25
REEDY RIVER, SC	---	---	100	---
SANTEE DELTA ENVIRONMENTAL RESTORATION, SC	---	---	100	---
WACCAMAW RIVER, SC	195	---	195	---
YADKIN - PEE DEE RIVER WATERSHED, SC & NC	---	50	---	50
SOUTH DAKOTA				
NIOBRARA RIVER AND MISSOURI RIVER, SD	25	---	225	---
TENNESSEE				
CHICKAMAUGA LOCK, TN	---	---	---	500
DAVIDSON COUNTY, TN	105	---	105	---
FORT DEFIANCE, MONTGOMERY COUNTY, CLARKSVILLE, TN	---	---	100	---
FRENCH BROAD WATERSHED, TN	280	---	280	---
TEXAS				
BOIS D'ARC CREEK, BONHAM, TX	200	---	200	---

CORPS OF ENGINEERS - GENERAL INVESTIGATIONS

PROJECT TITLE	BUDGET REQUEST INVESTIGATIONS	BUDGET REQUEST PLANNING	CONFERENCE INVESTIGATIONS	CONFERENCE PLANNING
BRAZORIA COUNTY, TX	---	---	100	---
BRAZOS ISLAND HARBOR, BROWNSVILLE CHANNEL, TX	---	---	100	---
BUFFALO BAYOU AND TRIBUTARIES, WHITE OAK BAYOU, TX	150	---	1,100	---
CEDAR BAYOU, TX	---	---	---	400
COLONIAS-LWR RIO GRANDE BASIN ALONG TX & MEXICO BORDER	---	100	---	400
CORPUS CHRISTI SHIP CHANNEL, LAQUINTA CHANNEL, TX	378	---	378	---
CORPUS CHRISTI SHIP CHANNEL, TX	572	---	572	---
FREEPORT HARBOR, TX	---	---	100	---
FREEPORT HURRICANE PROTECTION LEVEE, TX	100	---	100	---
GIWW MODIFICATIONS, TX	400	---	400	---
GIWW, BRAZOS RIVER TO PORT O'CONNOR, TX	810	---	810	---
GIWW, HIGH ISLAND TO BRAZOS RIVER, TX	---	540	---	540
GIWW, MATAGORDA BAY, TX	---	200	---	800
GIWW, PORT O'CONNOR TO CORPUS CHRISTI BAY, TX	600	---	600	---
GREENS BAYOU, HOUSTON, TX	---	190	---	377
GUADALUPE AND SAN ANTONIO RIVER BASINS, TX	200	---	500	---
LOWER COLORADO RIVER BASIN, TX	950	---	950	---
MIDDLE BRAZOS RIVER, TX	100	---	100	---
NUECES RIVER & TRIBUTARIES, TX	---	---	100	---
NORTH BOSQUE RIVER, TX	---	100	---	100
NORTH PADRE ISLAND, CORPUS CHRISTI, TX	---	130	---	130
NORTHWEST EL PASO, TX	250	---	250	---
RAYMONDVILLE DRAIN, TX	---	50	---	750
RESACAS AT BROWNSVILLE, TX	100	---	325	---
SABINE - NECHES WATERWAY, TX	650	---	650	---
SABINE PASS TO GALVESTON BAY, TX	450	---	700	---
SPARKS ARROYO COLONIA, EL PASO COUNTY, TX	---	---	---	100
SOUTH MAIN CHANNEL, TX	---	380	---	600
SULPHUR RIVER ENVIRONMENTAL RESTORATION, TX	---	---	200	---
TEXAS CITY CHANNEL, TX	---	---	250	---
UPPER TRINITY RIVER BASIN, TX	650	---	1,200	---

UTAH				
PARK CITY, UT	---	---	100	---
PROVO AND VICINITY, UT	100	---	100	---
VIRGINIA				
AIWW, BRIDGES AT DEEP CREEK, VA	---	475	---	475
CHESAPEAKE BAY SHORELINE, HAMPTON, VA	100	---	100	---
ELIZABETH RIVER, HAMPTON ROADS, VA	---	284	---	284
FOUR MILE RUN, VA	---	---	100	---
GOSHEN DAM, VA	---	---	---	500
JAMES RIVER CHANNEL, VA	---	295	---	295
JOHN H KERR DAM AND RESERVOIR, VA & NC (SECTION 216)	400	---	400	---
LYNNHAVEN RIVER, VA	---	---	100	---
NORFOLK HARBOR AND CHANNELS, CRANEY ISLAND, VA	946	---	946	---
POWELL RIVER WATERSHED, VA	100	---	100	---
WASHINGTON				
BELLINGHAM BAY, WA	200	---	300	---
CENTRALIA, WA	---	500	---	1,000
CHEHALIS RIVER BASIN, WA	250	---	250	---
COMMENCEMENT BAY, WA	---	---	100	---
DUWAMISH AND GREEN RIVER BASIN, WA	---	250	---	375
HOWARD HANSON DAM, WA	---	500	---	---
LAKE WASHINGTON SHIP CANAL, WA	254	---	1,050	---
OCEAN SHORES, WA	50	---	50	---
PUGET SOUND CONFINED DISPOSAL SITES, WA	225	---	225	---
PUGET SOUND NEARSHORE MARINE HABITAT RESTORATION, WA	200	---	200	---
SKAGIT RIVER, WA	200	---	200	---
SKOKOMISH RIVER BASIN, WA	50	---	50	---
STILLAGUAMISH RIVER BASIN, WA	---	50	---	50
WALLA WALLA WATERSHED, WA	---	---	1,000	---
WHITE RIVER BASIN, WA	---	---	100	---

CORPS OF ENGINEERS - GENERAL INVESTIGATIONS

PROJECT TITLE	BUDGET REQUEST INVESTIGATIONS	BUDGET REQUEST PLANNING	CONFERENCE INVESTIGATIONS	CONFERENCE PLANNING
WEST VIRGINIA				
ERICKSON/WOOD COUNTY PUBLIC PORT, WV	---	---	---	600
ISLAND CREEK AT LOGAN, WV	---	483	---	983
LITTLE KANAWHA RIVER, WV	---	---	100	---
MERCER COUNTY, WV	---	100	---	100
NEW RIVER BASIN, WV, NC & VA	200	---	200	---
PARKERSBURG/VIENNA, WV	---	---	---	300
WEIRTON PORT, WV	---	---	---	400
WISCONSIN				
BARABOO RIVER, WI	240	---	240	---
WYOMING				
JACKSON HOLE RESTORATION, WY	---	175	---	175
MISCELLANEOUS				
COASTAL FIELD DATA COLLECTION	2,200	---	3,200	---
ENVIRONMENTAL DATA STUDIES	100	---	100	---
FLOOD DAMAGE DATA	400	---	400	---
FLOOD PLAIN MANAGEMENT SERVICES	8,200	---	9,500	---
GREAT LAKES FISHERY AND ECOSYSTEM RESTORATION	---	---	200	---
GREAT LAKES REMEDIAL ACTION PROGRAM (SEC. 401)	---	---	2,000	---
HYDROLOGIC STUDIES	500	---	500	---
INTERNATIONAL WATER STUDIES	500	---	500	---
JOHN GLENN GREAT LAKES BASIN PROGRAM	---	---	500	---
NATIONAL SHORELINE	300	---	300	---
OTHER COORDINATION PROGRAMS	7,200	---	7,200	---

PLANNING ASSISTANCE TO STATES	6,500	---	6,900	---
PRECIPITATION STUDIES (NATIONAL WEATHER SERVICE)	400	---	400	---
PROJECT MONITORING	100	---	---	---
REMOTE SENSING/GEOGRAPHIC INFORMATION SYSTEM SUPPORT	300	---	300	---
RESEARCH AND DEVELOPMENT	24,000	---	29,300	---
SCIENTIFIC AND TECHNICAL INFORMATION CENTERS	100	---	100	---
STREAM GAGING (U.S. GEOLOGICAL SURVEY)	700	---	700	---
TRANSPORTATION SYSTEMS	700	---	700	---
TRI-SERVICE CADD/GIS TECHNOLOGY CENTER	650	---	650	---
REDUCTION FOR ANTICIPATED SAVINGS AND SLIPPAGE	-24,050	---	-68,119	---
TOTAL, GENERAL INVESTIGATIONS	96,274	33,726	107,971	46,379

CORPS OF ENGINEERS - CONSTRUCTION, GENERAL

PROJECT TITLE	BUDGET REQUEST	CONFERENCE
ALABAMA		
MOBILE HARBOR, AL	2,300	2,300
WALTER F GEORGE POWERHOUSE AND DAM, AL & GA (MAJOR REH	12,325	11,325
WALTER F GEORGE POWERPLANT, AL & GA (MAJOR REHAB)	3,000	3,000
ALASKA		
CHIGNIK HARBOR, AK	3,300	3,300
NOME HARBOR IMPROVEMENTS, AK	2,200	2,200
ST PAUL HARBOR, AK	700	700
SEWARD HARBOR, AK	---	1,000
WRANGELL HARBOR, AK	---	1,000
ARIZONA		
NOGALES WASH & TRIBUTARIES, AZ	---	500
RIO SALADO, PHOENIX AND TEMPE REACHES, AZ	13,200	20,000
ARKANSAS		
FOURCHE BAYOU BASIN, AR	---	180
GREERS FERRY LAKE WATER LINE, AR	---	300
MCCLELLAN - KERR ARKANSAS RIVER NAVIGATION SYSTEM, AR.	3,000	3,000
MONTGOMERY POINT LOCK AND DAM, AR	18,000	23,000
RED RIVER WATERWAY, INDEX, AR TO DENISON DAM, TX	---	3,000
RED RIVER EMERGENCY BANK PROTECTION, AR	---	3,000
RED RIVER BELOW DENISON DAM, AR, LA, OK & TX	---	2,000
CALIFORNIA		
AMERICAN RIVER WATERSHED, CA	13,000	14,000
AMERICAN RIVER WATERSHED, CA (FOLSOM DAM MODIFICATIONS	4,500	7,000
CAMBRIA SEAWATER DESALINATION, CA	---	100
CITY OF SANTA CLARITA, CA	---	1,500
CORTE MADERA CREEK, CA	250	250
COYOTE AND BERRYESSA CREEKS, CA	600	750
FARMINGTON RECHARGE DEMONSTRATION PROGRAM, CA	---	600
GUADALUPE RIVER, CA	4,000	8,000
HAMILTON AIRFIELD WETLANDS RESTORATION, CA	1,000	4,500
HARBOR/SOUTH BAY WATER RECYCLING, CA	---	5,000
IMPERIAL BEACH, SILVER STRAND SHORELINE, CA	500	929
KAWEAH RIVER, CA	3,000	4,500
LOS ANGELES HARBOR MAIN CHANNEL DEEPENING, CA	---	2,825
LOWER SACRAMENTO AREA LEVEE RECONSTRUCTION, CA	1,431	1,431
LOWER WALNUT CREEK, CA	---	250
MARYSVILLE/YUBA CITY LEVEE RECONSTRUCTION, CA	4,075	4,075
MERCED COUNTY STREAMS, CA	500	500
MID-VALLEY AREA LEVEE RECONSTRUCTION, CA	2,263	2,263
NAPA RIVER, CA	5,500	7,000
OAKLAND HARBOR, CA (50 FOOT PROJECT)	2,000	10,000
PETALUMA RIVER, CA	---	7,000
SACRAMENTO RIVER BANK PROTECTION PROJECT, CA	2,326	2,326
SACRAMENTO RIVER DEEP WATER SHIP CHANNEL, CA	---	300
SACRAMENTO RIVER, GLENN-COLUSA IRRIGATION DISTRICT, CA	2,284	4,000
SAN FRANCISCO BAY TO STOCKTON, CA	250	250
SAN LORENZO RIVER, CA	3,490	3,490
SAN RAMON VALLEY RECYCLED WATER, CA	---	500
SANTA ANA RIVER MAINSTEM, CA	26,800	34,800
SANTA BARBARA HARBOR, CA	100	100
SANTA PAULA CREEK, CA	1,700	1,700
SOUTH SACRAMENTO COUNTY STREAMS, CA	---	2,100
STOCKTON METROPOLITIAN FLOOD CONTROL REIMBURSEMENT, CA	1,000	6,000

CORPS OF ENGINEERS - CONSTRUCTION, GENERAL

PROJECT TITLE	BUDGET REQUEST	CONFERENCE
ALABAMA		
SUCCESS DAM, TULE RIVER, CA (DAM SAFETY)	1,000	1,000
SURFSIDE - SUNSET - NEWPORT BEACH, CA	300	2,500
TULE RIVER, CA	---	1,125
UPPER SACRAMENTO AREA LEVEE RECONSTRUCTION, CA	1,463	1,463
WEST SACRAMENTO, CA	1,368	1,368
DELAWARE		
DELAWARE BAY COASTLINE, ROOSEVELT INLET/LEWES BEACH, D	---	500
DELAWARE COAST PROTECTION, DE	270	353
DELAWARE COAST, REHOBOTH BEACH TO DEWEY BEACH, DE	100	100
FLORIDA		
BREVARD COUNTY, FL	200	6,000
BROWARD COUNTY, FL (REIMBURSABLE)	200	1,000
CANAVERAL HARBOR, FL	5,701	5,701
CENTRAL AND SOUTHERN FLORIDA, FL	95,278	95,278
DADE COUNTY, FL	8,000	12,000
DUVAL COUNTY, FL	---	2,000
EVERGLADES AND SOUTH FLORIDA ECOSYSTEM RESTORATION, FL	19,876	19,876
FLORIDA KEYS WATER QUALITY IMPROVEMENTS, FL	---	500
FORT PIERCE BEACH, FL	---	500
JACKSONVILLE HARBOR, FL	1,457	5,300
JIM WOODRUFF LOCK AND DAM POWERHOUSE, FL & GA (MAJOR R	4,300	4,300
KISSIMMEE RIVER, FL	25,846	25,846
MANATEE COUNTY, FL	---	1,000
MANATEE HARBOR, FL	1,000	1,000
MARTIN COUNTY, FL	---	2,000
MIAMI HARBOR CHANNEL, FL	5,274	5,274
PALM BEACH COUNTY, FL (REIMBURSEMENT)	200	2,000
PALM VALLEY BRIDGE, FL	7,299	7,299
PANAMA CITY HARBOR, FL	1,215	1,215
PINELLAS COUNTY, FL	---	2,000
PORT EVERGLADES, FL	---	3,000
ST JOHN'S COUNTY, FL	300	2,000
ST LUCIE INLET, FL	---	4,000
TAMPA HARBOR, FL	500	500
GEORGIA		
BRUNSWICK HARBOR, GA	4,084	7,000
BUFORD POWERHOUSE, GA (MAJOR REHAB)	3,000	3,000
HARTWELL LAKE POWERHOUSE, GA & SC (MAJOR REHAB)	4,500	4,500
LOWER SAVANNAH RIVER BASIN, GA & SC	1,300	1,300
OATES CREEK, RICHMOND COUNTY, GA (DEF CORR)	632	632
RICHARD B RUSSELL DAM AND LAKE, GA & SC	3,000	3,000
THURMOND LAKE POWERHOUSE, GA & SC (MAJOR REHAB)	6,500	6,500
HAWAII		
HAWAII WATER MANAGEMENT, HI	---	200
IAO STREAM FLOOD CONTROL, MAUI, HI (DEF CORR)	400	400
KAUMALAPAU HARBOR, HI	---	1,300
KIKIAOLA SMALL BOAT HARBOR, KAUAI, HI	1,275	1,275
MAALAEA HARBOR, MAUI, HI	325	325

CORPS OF ENGINEERS - CONSTRUCTION, GENERAL

PROJECT TITLE	BUDGET REQUEST	CONFERENCE
ILLINOIS		
CHAIN OF ROCKS CANAL, MISSISSIPPI RIVER, IL (DEF CORR)	3,617	3,617
CHICAGO SHORELINE, IL	24,000	25,000
COOK COUNTY, IL	---	500
DEL PLAINES RIVER, IL	---	500
EAST ST LOUIS, IL	1,000	1,000
EAST ST LOUIS INTERIOR FLOOD CONTROL, IL	---	688
LOCK AND DAM 24, MISSISSIPPI RIVER, IL & MO (MAJOR REH	8,038	8,038
LOVES PARK, IL	1,600	1,600
MADISON/ST CLAIR COUNTIES, IL	---	1,000
MCCOOK AND THORNTON RESERVOIRS, IL	10,000	17,000
MELVIN PRICE LOCK AND DAM, IL & MO	500	500
OLMSTED LOCKS AND DAM, OHIO RIVER, IL & KY	34,000	40,000
UPPER MISS RVR SYSTEM ENV MGMT PROGRAM, IL, IA, MN, MO	21,000	20,000
INDIANA		
CALUMET REGION, IN	---	3,000
CITY OF INDIANAPOLIS, IN	---	250
INDIANA HARBOR, IN (CONFINED DISPOSAL FACILITY)	5,000	5,000
INDIANA SHORELINE EROSION, IN	---	1,000
INDIANAPOLIS CENTRAL WATERFRONT, IN	---	9,000
INDIANAPOLIS, WHITE RIVER (NORTH), IN	3,600	3,600
LITTLE CALUMET RIVER, IN	4,000	4,500
MISSISSINEWA LAKE, IN (MAJOR REHAB)	8,500	9,000
OHIO RIVER GREENWAY PUBLIC ACCESS, IN	2,400	2,400
IOWA		
LOCK AND DAM 11, MISSISSIPPI RIVER, IA (MAJOR REHAB)	---	500
LOCK AND DAM 12, MISSISSIPPI RIVER, IA (MAJOR REHAB)	4,906	4,906
MISSOURI RIVER FISH AND WILDLIFE MITIGATION, IA, NE, K	11,000	12,609
MISSOURI RIVER LEVEE SYSTEM, IA, NE, KS & MO	8,500	9,200
PERRY CREEK, IA	4,000	4,000
KANSAS		
ARKANSAS CITY, KS	3,050	5,100
KENTUCKY		
CARR CREEK LAKE, KY	---	1,000
DEWEY LAKE, KY (DAM SAFETY)	2,900	4,500
KENTUCKY LOCK AND DAM, TENNESSEE RIVER, KY	14,400	22,000
LOUISVILLE WATERFRONT, KY	---	500
MCALPINE LOCKS AND DAM, OHIO RIVER, KY & IN	13,632	18,632
METROPOLITAN LOUISVILLE, BEARGRASS CREEK, KY	2,575	2,575
METROPOLITAN LOUISVILLE, POND CREEK, KY	1,400	1,400
POND CREEK, KY	---	425
SOUTHERN AND EASTERN KENTUCKY, KY	---	4,000
LOUISIANA		
ALOHA - RIGOLETTE, LA	---	200
ASCENSION PARISH (ENV. INFRASTRUCTURE), LA	---	150
COMITE RIVER, LA	500	7,000
EAST BATON ROUGE PARISH, LA	---	1,000
EAST BATON ROUGE PARISH (ENV. INFRASTRUCTURE), LA	---	150
GRAND ISLE AND VICINITY, LA	---	200
INNER HARBOR NAVIGATION CANAL LOCK, LA	10,000	13,000
J BENNETT JOHNSTON WATERWAY, LA	16,555	20,000
LAKE PONTCHARTRAIN AND VICINITY, LA (HURRICANE PROTECT	7,500	14,250

CORPS OF ENGINEERS - CONSTRUCTION, GENERAL

PROJECT TITLE	BUDGET REQUEST	CONFERENCE
LAROSE TO GOLDEN MEADOW, LA (HURRICANE PROTECTION)....	1,500	1,500
LIVINGSTON PARISH (ENV. INFRASTRUCTURE), LA.....	---	200
MISSISSIPPI RIVER SHIP CHANNEL, GULF TO BATON ROUGE, L	575	575
MISSISSIPPI RIVER, GULF OUTLET, LA.....	500	500
NEW ORLEANS TO VENICE, LA (HURRICANE PROTECTION).....	2,000	2,000
OUACHITA RIVER LEVEES, AR & LA.....	---	1,500
SOUTHEAST LOUISIANA, LA.....	51,908	60,000
WEST BANK AND VICINITY, NEW ORLEANS, LA.....	12,000	12,500
MARYLAND		
ANACOSTIA RIVER AND TRIBUTARIES, MD.....	---	1,000
ASSATEAGUE ISLAND, MD.....	10,000	10,000
ATLANTIC COAST OF MARYLAND, MD.....	2,300	4,271
BALTIMORE HARBOR ANCHORAGES AND CHANNELS, MD & VA.....	8,000	8,000
CHESAPEAKE BAY ENV. RESTORATION AND PROTECTION, MD....	---	950
CHESAPEAKE BAY OYSTER RECOVERY, MD & VA.....	1,500	3,000
CUMBERLAND, MD.....	---	650
POPLAR ISLAND, MD.....	18,200	18,200
MASSACHUSETTS		
CAPE COD CANAL RAILROAD BRIDGE, MA (MAJOR REHAB).....	12,500	12,500
WEST HILL DAM, MA (MAJOR REHAB).....	9,000	9,000
MICHIGAN		
GENESEE COUNTY DRAIN, GENESEE COUNTY, MI.....	---	250
NEGAUNEE, MI.....	---	150
SAULT STE MARIE (REPLACEMENT LOCK), MI.....	---	3,000
TWELVE TOWNS DRAIN RETENTION TREATMENT FACILITY, MI...	---	250
MINNESOTA		
BRECKENRIDGE, MN.....	---	500
CROOKSTON, MN.....	2,000	2,000
LOCK AND DAM 3, MISSISSIPPI RIVER, MN (MAJOR REHAB)...	800	800
LOWER ST ANTHONY FALLS, MN.....	---	600
MILLELACS REGIONAL WASTEWATER, MN.....	---	2,000
NORTHEASTERN, MN.....	---	4,000
PINE RIVER DAM, CROSS LAKE, MN (DAM SAFETY).....	630	630
STILLWATER, MN.....	---	2,000
MISSISSIPPI		
DESOTO COUNTY, MS.....	---	5,000
GULFPORT HARBOR, MS.....	100	100
MISSISSIPPI (SEC. 592, P.L. 106-53), MS.....	---	3,400
PASCAGOULA HARBOR, MS.....	1,930	1,930
MISSOURI		
BLUE RIVER BASIN, KANSAS CITY, MO.....	675	675
BLUE RIVER CHANNEL, KANSAS CITY, MO.....	8,400	10,400
BOIS BRULE DRAINAGE AND LEVEE DISTRICT, MO.....	---	1,200
CAPE GIRARDEAU, JACKSON, MO.....	1,717	1,717
MERAMEC RIVER BASIN, VALLEY PARK LEVEE, MO.....	1,200	1,200
MISS RIVER BTWN THE OHIO AND MO RIVERS (REG WORKS), MO	4,000	4,000
ST LOUIS, MO.....	---	4,000
STE GENEVIEVE, MO.....	850	850
TABLE ROCK LAKE, MO & AR (DAM SAFETY).....	5,900	5,900

CORPS OF ENGINEERS - CONSTRUCTION, GENERAL

PROJECT TITLE	BUDGET REQUEST	CONFERENCE
MONTANA		
FORT PECK DAM, MT	---	700
FORT PECK FISH HATCHERY, MT	---	1,500
RURAL MONTANA, MT	---	500
NEBRASKA		
ANTELOPE CREEK, NE	---	300
MISSOURI NATIONAL RECREATIONAL RIVER, NE & SD	1,800	1,800
WOOD RIVER, GRAND ISLAND, NE	4,000	4,000
NEVADA		
RURAL NEVADA, NV	---	8,000
TROPICANA AND FLAMINGO WASHES, NV	22,000	30,000
NEW HAMPSHIRE		
ENVIRONMENTAL INFRASTRUCTURE, LEBANON, NH	---	2,000
NEW JERSEY		
BRIGANTINE INLET TO GREAT EGG INLET, NJ (ABSECON ISLAN	100	1,000
CAPE MAY INLET TO LOWER TOWNSHIP, NJ	780	2,000
DELAWARE RIVER MAIN CHANNEL, NJ, PA & DE	10,000	10,000
GREAT EGG HARBOR INLET AND PECK BEACH, NJ	130	250
LOWER CAPE MAY MEADOWS, NJ	---	500
NEW YORK HARBOR & ADJACENT CHANNELS, PORT JERSEY CHANN	22,000	---
PASSAIC RIVER PRESERVATION OF NATURAL STORAGE AREAS, N	5,400	5,400
PASSAIC RIVER STREAMBANK RESTORATION, NJ	---	2,500
RAMAPO AND MAHWAH RIVERS, MAHWAH, NJ AND SUFFERN, NY	100	100
RAMAPO RIVER AT OAKLAND, NJ	4,949	4,949
RARITAN BAY AND SANDY HOOK BAY, NJ	100	400
RARITAN RIVER BASIN, GREEN BROOK SUB-BASIN, NJ	10,000	10,000
SANDY HOOK TO BARNEGAT INLET, NJ	5,000	5,000
TOWNSENDS INLET TO CAPE MAY INLET, NJ	2,000	2,000
NEW MEXICO		
ACEQUIAS IRRIGATION SYSTEM, NM	2,000	2,000
ALAMOGORDO, NM	3,500	3,500
CENTRAL NEW MEXICO, NM	---	5,000
JICARILLA APACHE TRIBE, NM	---	2,500
MIDDLE RIO GRANDE FLOOD PROTECTION, BERNALILLO TO BELE	600	600
RIO GRANDE FLOODWAY, SAN ACACIA TO BOSQUE DEL APACHE,	300	300
NEW YORK		
ARTHUR KILL CHANNEL, HOWLAND HOOK MARINE TERMINAL, NY.	15,000	---
ATLANTIC COAST OF NYC, ROCKAWAY INLET TO NORTON POINT,	300	900
EAST ROCKAWAY INLET TO ROCKAWAY INLET AND JAMAICA BAY,	1,230	2,284
FIRE ISLAND INLET TO JONES INLET, NY	4,700	7,700
FIRE ISLAND INLET TO MONTAUK POINT, NY	2,275	2,275
KILL VAN KULL AND NEWARK BAY CHANNEL, NY & NJ	44,000	---
NEW YORK AND NEW JERSEY HARBOR, NY & NJ	---	88,500
NEW YORK CITY WATERSHED, NY	---	3,000
ONONDAGA LAKE, NY	---	8,000
NORTH CAROLINA		
BRUNSWICK COUNTY BEACHES, OCEAN ISLE BEACH PORTION, NC	300	800
MANTEO (SHALLOWBAG) BAY, NC	---	300

CORPS OF ENGINEERS - CONSTRUCTION, GENERAL

PROJECT TITLE	BUDGET REQUEST	CONFERENCE
STANLY COUNTY WASTEWATER INFRASTRUCTURE, NC	---	500
WEST ONSLOW BEACH AND NEW RIVER INLET, NC	300	700
WILMINGTON HARBOR, NC	43,159	47,000
WRIGHTSVILLE BEACH, NC	550	1,140
NORTH DAKOTA		
BUFORD - TRENTON IRRIGATION DISTRICT LAND ACQUISITION,	3,000	5,000
GARRISON DAM AND POWER PLANT, ND (MAJOR REHAB)	7,000	7,000
GRAFTON, PARK RIVER, ND	---	500
GRAND FORKS, ND - EAST GRAND FORKS, MN	25,954	31,000
HOMME LAKE, ND (DAM SAFETY)	2,400	2,400
SHEYENNE RIVER, ND	2,000	2,000
OHIO		
LOWER GIRARD LAKE DAM, OH	---	1,000
METROPOLITAN REGION OF CINCINNATI, DUCK CREEK, OH	2,700	2,700
MILL CREEK, OH	2,000	3,000
OHIO ENVIRONMENTAL INFRASTRUCTURE, OH	---	3,000
OTTAWA RIVER, OH	---	300
WEST COLUMBUS, OH	7,200	11,000
OKLAHOMA		
SKIATOOK LAKE, OK (DAM SAFETY)	1,800	1,800
TENKILLER FERRY LAKE, OK (DAM SAFETY)	3,700	3,700
OREGON		
BONNEVILLE POWERHOUSE PHASE II, OR & WA (MAJOR REHAB).	10,000	10,000
COLUMBIA RIVER TREATY FISHING ACCESS SITES, OR & WA	5,000	5,000
ELK CREEK LAKE, OR	2,000	2,000
LOWER COLUMBIA RIVER BASIN BANK PROTECTION, OR & WA	100	100
WILLAMETTE RIVER TEMPERATURE CONTROL, OR	8,000	9,000
PENNSYLVANIA		
3 RIVERS, WET WEATHER DEMO PROGRAM, PA	---	400
JOHNSTOWN, PA (MAJOR REHAB)	3,082	3,082
LOCKS AND DAMS 2, 3 AND 4, MONONGAHELA RIVER, PA	34,470	40,470
NANTY GLO, PA	---	1,000
NORTHEAST PENNSYLVANIA, PA	---	3,000
PRESQUE ISLE PENINSULA, PA (PERMANENT)	392	728
SAW MILL RUN, PITTSBURGH, PA	4,138	4,138
SCHUYLKILL RIVER PARK, PA	---	1,000
SOUTH CENTRAL PENN ENVIRONMENTAL IMPROVEMENT PROGRAM	---	10,000
WYOMING VALLEY, PA (LEVEE RAISING)	19,000	19,000
PUERTO RICO		
ARECIBO RIVER, PR	500	500
PORTUGUES AND BUCANA RIVERS, PR	5,409	5,409
RIO DE LA PLATA, PR	500	500
RIO GRANDE DE LOIZA, PR	500	500
RIO GRANDE DE MANATI, PR	1,500	1,500
RIO PUERTO NUEVO, PR	9,000	9,000
SOUTH CAROLINA		
CHARLESTON HARBOR, SC (DEEPENING & WIDENING)	6,365	8,865
FOLLY BEACH, SC	---	200
HARTWELL LK,CLEMSON UPPER & LOWER DIVERSION, SC (DAM S	2,500	2,500
LAKES MARION AND MOULTRIE, SC	---	11,648

CORPS OF ENGINEERS - CONSTRUCTION, GENERAL

PROJECT TITLE	BUDGET REQUEST	CONFERENCE
SOUTH DAKOTA		
BIG SIOUX RIVER, SIOUX FALLS, SD	6,000	6,000
CHEYENNE RIVER SIOUX TRIBE, LOWER BRULE SIOUX, SD	3,000	7,000
MISSOURI RIVER RESTORATION, SD	---	750
PIERRE, SD	6,000	6,000
TENNESSEE		
BLACK FOX, MURFREE AND OAKLANDS SPRINGS WETLANDS, TN	---	2,000
TEXAS		
BOSQUE AND LEON RIVERS, TX	---	2,500
BRAYS BAYOU, HOUSTON, TX	4,066	4,066
CHANNEL TO VICTORIA, TX	5,565	5,565
CLEAR CREEK, TX	1,200	1,200
DALLAS FLOODWAY EXTENSION, TRINITY RIVER PROJECT, TX	2,000	10,000
EL PASO, TX	3,400	3,400
HOUSTON - GALVESTON NAVIGATION CHANNELS, TX	28,785	33,785
JOHNSON CREEK, UPPER TRINITY BASIN, ARLINGTON, TX	2,900	5,500
MOUTH OF COLORADO RIVER, TX	---	1,000
NECHES RIVER AND TRIBUTARIES SALTWATER BARRIER, TX	8,068	11,000
NORTH PADRE ISLAND, PACKERY CHANNEL, TX	---	1,000
RED RIVER BASIN CHLORIDE CONTROL, TX & OK	---	2,100
RED RIVER BELOW DENISON DAM, TX,AR,LA	---	2,500
SAN ANTONIO CHANNEL IMPROVEMENT, TX	866	1,000
SIMS BAYOU, HOUSTON, TX	9,000	9,000
WALLISVILLE LAKE, TX	---	2,617
UTAH		
UPPER JORDAN RIVER, UT	500	500
VERMONT		
VERMONT DAMS REMEDIATION, VT	---	200
VIRGINIA		
AIWW BRIDGE AT GREAT BRIDGE, VA	7,000	7,000
EMBREY DAM, VA	---	2,000
JOHN H KERR DAM AND RESERVOIR, VA & NC (MAJOR REHAB)	4,800	4,800
LYNCHBURG COMBINED SEWER OVERFLOW, VA	---	1,000
NORFOLK HARBOR AND CHANNELS (DEEPENING), VA	486	486
RICHMOND COMBINED SEWER OVERFLOW, VA	---	1,000
ROANOKE RIVER UPPER BASIN, HEADWATERS AREA, VA	3,000	3,000
SANDBRIDGE BEACH, VA	3,380	3,380
VIRGINIA BEACH, VA (HURRICANE PROTECTION)	9,000	9,000
WASHINGTON		
COLUMBIA RIVER FISH MITIGATION, WA, OR & ID	81,000	81,000
GRAYS HARBOR, WA	325	325
HOWARD HANSEN DAM, WA	---	3,000
LOWER SNAKE RIVER FISH & WILDLIFE COMPENSATION, WA, OR	2,555	2,555
MT ST HELENS SEDIMENT CONTROL, WA	545	545
MUD MOUNTAIN DAM, WA (DAM SAFETY)	3,300	3,800
SHOALWATER BAY SHORELINE EROSION, WA	---	500
THE DALLES POWERHOUSE (UNITS 1-14), WA & OR (MAJOR REH	7,000	7,000

CORPS OF ENGINEERS - CONSTRUCTION, GENERAL

PROJECT TITLE	BUDGET REQUEST	CONFERENCE
WEST VIRGINIA		
BLUESTONE LAKE, WV (DAM SAFETY)	8,000	12,000
CENTRAL WEST VIRGINIA, WV	---	3,000
GREENBRIER RIVER BASIN, WV	---	1,200
LEVISA AND TUG FORKS AND UPPER CUMBERLAND RIVER, WV, V	16,700	41,100
LONDON LOCKS AND DAM, KANAWHA RIVER, WV (MAJOR REHAB).	4,300	8,700
LOWER MUD RIVER, WV	---	750
MARMET LOCK, KANAWHA RIVER, WV	6,200	27,100
ROBERT C BYRD LOCKS AND DAM, OHIO RIVER, WV & OH	1,300	3,000
SOUTHERN WEST VIRGINIA, WV	---	3,000
TYGART LAKE, WV (DAM SAFETY)	1,461	1,461
WEST VIRGINIA AND PENNSYLVANIA FLOOD CONTROL, WV & PA.	---	2,300
WINFIELD LOCKS AND DAM, KANAWHA RIVER, WV	600	2,700
WISCONSIN		
LAFARGE LAKE, WI	5,150	6,150
MISCELLANEOUS		
AQUATIC ECOSYSTEM RESTORATION (SECTION 206)	15,000	20,000
AQUATIC PLANT CONTROL PROGRAM	3,000	4,000
BENEFICIAL USES OF DREDGED MATERIAL (SECTION 204)	1,500	1,500
DAM SAFETY AND SEEPAGE/STABILITY CORRECTION PROGRAM	5,000	9,000
DREDGED MATERIAL DISPOSAL FACILITIES PROGRAM	9,000	5,000
EMERGENCY STREAMBANK & SHORELINE PROTECTION (SEC. 14).	7,000	9,000
EMPLOYEES' COMPENSATION	20,000	20,000
FLOOD CONTROL PROJECTS (SECTION 205)	30,000	40,000
INLAND WATERWAYS USERS BOARD - BOARD EXPENSE	45	45
INLAND WATERWAYS USERS BOARD - CORPS EXPENSE	185	185
NAVIGATION MITIGATION PROJECT (SECTION 111)	500	1,470
NAVIGATION PROJECTS (SECTION 107)	7,000	15,000
PROJECT MODIFICATIONS FOR IMPROVEMENT OF THE ENVIRONME	21,000	20,400
SHORELINE PROTECTION PROJECTS (SECTION 103)	5,000	5,000
SNAGGING AND CLEARING PROJECT (SECTION 208)	1,000	1,000
REDUCTION FOR ANTICIPATED SAVINGS AND SLIPPAGE	-156,580	-263,684
TOTAL, CONSTRUCTION GENERAL	1,324,000	1,715,951

CORPS OF ENGINEERS - FLOOD CONTROL, MISSISSIPPI RIVER AND TRIBUTARIES

PROJECT TITLE	BUDGET REQUEST	CONFERENCE
GENERAL INVESTIGATIONS		
SURVEYS:		
GENERAL STUDIES:		
ALEXANDRIA, LA TO THE GULF OF MEXICO	500	500
BAYOU METO BASIN	---	1,500
DONALDSONVILLE TO THE GULF, LA	700	1,100
SPRING BAYOU, LA	500	500
COLDWATER RIVER BASIN BELOW ARKABUTLA LAKE, MS	200	200
OLIVE BRANCH, MS	300	100
MEMPHIS METRO AREA, TN & MS	394	394
MORGANZA, LA TO THE GULF OF MEXICO	4,000	5,250
SOUTHEAST ARKANSAS, AR	---	400
WOLF RIVER, MEMPHIS, TN	205	205
TENSAS RIVER BASIN, LA	---	100
COLLECTION AND STUDY OF BASIC DATA	615	615
SUBTOTAL, GENERAL INVESTIGATIONS	7,414	10,864
CONSTRUCTION		
CHANNEL IMPROVEMENT, AR, IL, KY, LA, MS, MO & TN	43,405	45,000
FRANCIS BLAND FLOODWAY DITCH (EIGHT MILE CREEK), AR	915	915
GRAND PRAIRIE REGION, AR	---	12,000
HELENA AND VICINITY, AR	1,675	1,675
MISSISSIPPI RIVER LEVEES, AR, IL, KY, LA, MS, MO & TN	43,457	50,057
ST FRANCIS BASIN, AR & MO	3,230	4,230
ATCHAFALAYA BASIN, FLOODWAY SYSTEM, LA	7,160	7,600
ATCHAFALAYA BASIN, LA	23,400	25,400
LOUISIANA STATE PENITENTIARY LEVEE, LA	3,022	3,022
MISSISSIPPI AND LOUISIANA ESTUARINE AREAS, LA & MS	25	25
MISSISSIPPI DELTA REGION, LA	1,600	2,900
TENSAS BASIN, RED RIVER BACKWATER, LA	2,628	3,653
HORN LAKE CREEK AND TRIBUTARIES, MS	---	300
YAZOO BASIN:	(8,550)	(35,249)
BACKWATER PUMP, MS	500	4,000
BIG SUNFLOWER RIVER, MS	1,000	1,250
DEMONSTRATION EROSION CONTROL, MS	---	19,000
MAIN STEM, MS	25	25
REFORMULATION UNIT, MS	25	25
TRIBUTARIES, MS	200	200
UPPER YAZOO PROJECTS, MS	6,800	10,749
ST JOHNS BAYOU AND NEW MADRID FLOODWAY, MO	150	1,000
NONCONNAH CREEK, FLOOD CONTROL FEATURE, TN & MS	1,300	1,615
WEST TENNESSEE TRIBUTARIES, TN	25	25
SUBTOTAL, CONSTRUCTION	140,542	194,666
MAINTENANCE		
CHANNEL IMPROVEMENT, AR, IL, KY, LA, MS, MO & TN	61,462	61,462
HELENA HARBOR, PHILLIPS COUNTY, AR	434	434
INSPECTION OF COMPLETED WORKS, AR	480	480
LOWER ARKANSAS RIVER, NORTH BANK, AR	419	419
LOWER ARKANSAS RIVER, SOUTH BANK, AR	10	10
MISSISSIPPI RIVER LEVEES, AR, IL, KY, LA, MS, MO & TN	7,650	8,250
ST FRANCIS BASIN, AR & MO	6,678	12,000
TENSAS BASIN, BOEUF AND TENSAS RIVERS, AR & LA	2,000	3,250
WHITE RIVER BACKWATER, AR	1,102	1,102
INSPECTION OF COMPLETED WORKS, IL	43	43
INSPECTION OF COMPLETED WORKS, KY	29	29
ATCHAFALAYA BASIN, FLOODWAY SYSTEM, LA	2,065	2,065
ATCHAFALAYA BASIN, LA	10,661	11,500

CORPS OF ENGINEERS - FLOOD CONTROL, MISSISSIPPI RIVER AND TRIBUTARIES

PROJECT TITLE	BUDGET REQUEST	CONFERENCE
GENERAL INVESTIGATIONS		
BATON ROUGE HARBOR, DEVIL SWAMP, LA	216	216
BAYOU COCODRIE AND TRIBUTARIES, LA	56	56
BONNET CARRE, LA	1,854	2,814
INSPECTION OF COMPLETED WORKS, LA	422	422
LOWER RED RIVER, SOUTH BANK LEVEES, LA	6,239	6,239
MISSISSIPPI DELTA REGION, LA	916	916
OLD RIVER, LA	6,116	6,116
TENSAS BASIN, RED RIVER BACKWATER, LA	2,500	2,500
GREENVILLE HARBOR, MS	645	645
INSPECTION OF COMPLETED WORKS, MS	249	249
VICKSBURG HARBOR, MS	494	494
YAZOO BASIN:	(21,260)	(31,807)
ARKABUTLA LAKE, MS	4,500	7,000
BIG SUNFLOWER RIVER, MS	1,000	3,700
ENID LAKE, MS	3,500	5,000
GREENWOOD, MS	250	250
GRENADA LAKE, MS	4,500	5,500
MAIN STEM, MS	275	275
SARDIS LAKE, MS	6,500	8,500
TRIBUTARIES, MS	350	1,197
WILL M WHITTINGTON AUXILIARY CHANNEL, MS	55	55
YAZOO BACKWATER AREA, MS	180	180
YAZOO CITY, MS	150	150
INSPECTION OF COMPLETED WORKS, MO	143	143
WAPPAPELLO LAKE, MO	8,000	8,500
INSPECTION OF COMPLETED WORKS, TN	86	86
MEMPHIS HARBOR, MCKELLAR LAKE, TN	1,118	1,118
MAPPING	1,097	1,097
SUBTOTAL, MAINTENANCE	144,444	164,462
REDUCTION FOR ANTICIPATED SAVINGS AND SLIPPAGE	-12,400	-24,000
TOTAL, FLOOD CONTROL, MISSISSIPPI RIVER AND TRIBUTARIES	280,000	345,992

CORPS OF ENGINEERS - OPERATION AND MAINTENANCE

PROJECT TITLE	BUDGET REQUEST	CONFERENCE
ALABAMA		
ALABAMA - COOSA COMPREHENSIVE WATER STUDY, AL	219	219
ALABAMA - COOSA RIVER, AL	1,555	6,180
BAYOU CODEN, AL	---	500
BAYOU LA BATRE, AL	50	200
BLACK WARRIOR AND TOMBIGBEE RIVERS, AL	21,100	23,700
BON SECOUR RIVER, AL	20	20
DAUPHIN ISLAND BAY, AL	250	600
DOG AND FOWL RIVERS, AL	450	450
FLY CREEK, AL	200	200
GULF INTRACOASTAL WATERWAY, AL	5,000	5,000
INSPECTION OF COMPLETED WORKS, AL	100	100
MILLERS FERRY LOCK AND DAM, WILLIAM "BILL" DANNELLY LA	4,900	7,200
MOBILE AREA DIGITAL MAPPING, AL	---	3,000
MOBILE HARBOR, AL	18,900	29,600
PERDIDO PASS CHANNEL, AL	1,000	1,000
PROJECT CONDITION SURVEYS, AL	350	350
ROBERT F HENRY LOCK AND DAM, AL	5,000	5,600
SCHEDULING RESERVOIR OPERATIONS, AL	80	80
TENNESSEE - TOMBIGBEE WATERWAY, AL & MS	23,800	24,300
TENNESSEE - TOMBIGBEE WILDLIFE MITIGATION, AL	---	2,000
WALTER F GEORGE LOCK AND DAM, AL & GA	6,565	6,565
ALASKA		
ANCHORAGE HARBOR, AK	1,788	2,788
BETHEL HARBOR, AK	416	416
CHENA RIVER LAKES, AK	1,659	1,659
COOK INLET SHOALS, AK	2,200	2,200
DILLINGHAM HARBOR, AK	384	384
HOMER HARBOR, AK	181	181
INSPECTION OF COMPLETED WORKS, AK	35	35
KETCHIKAN HARBOR, BAR POINT, AK	160	160
KODIAK HARBOR, AK	---	750
NAKNEK RIVER, AK	---	1,000
NINILCHIK HARBOR, AK	173	173
NOME HARBOR, AK	1,458	1,458
PELICAN HARBOR, AK	---	600
PROJECT CONDITION SURVEYS, AK	527	527
ARIZONA		
ALAMO LAKE, AZ	1,306	1,306
INSPECTION OF COMPLETED WORKS, AZ	86	86
PAINTED ROCK DAM, AZ	1,310	1,310
SCHEDULING RESERVOIR OPERATIONS, AZ	32	32
WHITLOW RANCH DAM, AZ	184	184
ARKANSAS		
BEAVER LAKE, AR	4,343	4,343
BLAKELY MT DAM, LAKE OUACHITA, AR	4,734	4,734
BLUE MOUNTAIN LAKE, AR	1,148	1,148
BULL SHOALS LAKE, AR	4,402	4,402
DARDANELLE LOCK AND DAM, AR	5,337	5,337
DEGRAY LAKE, AR	4,235	4,235
DEQUEEN LAKE, AR	947	947
DIERKS LAKE, AR	946	946
GILLHAM LAKE, AR	841	841
GREERS FERRY LAKE, AR	4,873	4,873
HELENA HARBOR, PHILLIPS COUNTY, AR	---	340
INSPECTION OF COMPLETED WORKS, AR	308	308

CORPS OF ENGINEERS - OPERATION AND MAINTENANCE

PROJECT TITLE	BUDGET REQUEST	CONFERENCE
MCCLELLAN - KERR ARKANSAS RIVER NAVIGATION SYSTEM, AR.	22,338	22,338
MILLWOOD LAKE, AR	1,559	1,559
NARROWS DAM, LAKE GREESON, AR	3,308	4,308
NIMROD LAKE, AR	1,319	1,319
NORFORK LAKE, AR	3,255	3,255
OSCEOLA HARBOR, AR	---	610
OUACHITA AND BLACK RIVERS, AR & LA	7,127	7,127
OZARK - JETA TAYLOR LOCK AND DAM, AR	3,912	3,912
PROJECT CONDITION SURVEYS, AR	10	10
WHITE RIVER, AR	195	2,195
YELLOW BEND PORT, AR	---	150
CALIFORNIA		
BLACK BUTTE LAKE, CA	1,952	1,952
BODEGA BAY, CA	---	1,800
BUCHANAN DAM, H V EASTMAN LAKE, CA	1,725	1,725
CHANNEL ISLANDS HARBOR, CA	40	40
COYOTE VALLEY DAM, LAKE MENDOCINO, CA	3,537	3,537
DRY CREEK (WARM SPRINGS) LAKE AND CHANNEL, CA	4,604	4,604
FARMINGTON DAM, CA	299	299
HIDDEN DAM, HENSLEY LAKE, CA	1,687	1,687
HUMBOLDT HARBOR AND BAY, CA	3,516	3,516
INSPECTION OF COMPLETED WORKS, CA	1,171	1,171
ISABELLA LAKE, CA	836	1,476
LOS ANGELES - LONG BEACH HARBOR MODEL, CA	170	170
LOS ANGELES - LONG BEACH HARBORS, CA	200	3,200
LOS ANGELES COUNTY DRAINAGE AREA, CA	4,691	6,691
MARINA DEL REY, CA	40	40
MERCED COUNTY STREAMS, CA	314	314
MOJAVE RIVER DAM, CA	273	273
MORRO BAY HARBOR, CA	3,860	3,860
MOSS LANDING HARBOR, CA	---	2,500
NEW HOGAN LAKE, CA	1,922	1,922
NEW MELONES LAKE, DOWNSTREAM CHANNEL, CA	1,573	1,573
NEWPORT BAY HARBOR, CA	40	40
OAKLAND HARBOR, CA	10,127	10,127
OCEANSIDE HARBOR, CA	1,270	1,270
PETALUMA RIVER, CA	---	2,500
PILLAR POINT HARBOR, CA	---	200
PINE FLAT LAKE, CA	2,443	2,443
PORT HUENEME, CA	40	40
PROJECT CONDITION SURVEYS, CA	1,224	1,224
REDWOOD CITY HARBOR, CA	---	2,000
RICHMOND HARBOR, CA	4,389	4,389
SACRAMENTO RIVER (30 FOOT PROJECT), CA	1,964	1,964
SACRAMENTO RIVER AND TRIBUTARIES (DEBRIS CONTROL), CA.	1,766	1,766
SACRAMENTO RIVER SHALLOW DRAFT CHANNEL, CA	132	132
SAN DIEGO HARBOR, CA	140	140
SAN DIEGO RIVER AND MISSION BAY, CA	40	40
SAN FRANCISCO BAY, DELTA MODEL STRUCTURE, CA	1,700	1,700
SAN FRANCISCO BAY LONG TERM MANAGEMENT STRATEGY, CA	---	200
SAN FRANCISCO HARBOR AND BAY (DRIFT REMOVAL), CA	2,366	2,500
SAN FRANCISCO HARBOR, CA	2,501	2,700
SAN JOAQUIN RIVER, CA	998	3,800
SAN RAFAEL CREEK, CA	---	1,800
SANTA ANA RIVER BASIN, CA	3,537	3,537
SANTA BARBARA HARBOR, CA	2,020	2,020
SCHEDULING RESERVOIR OPERATIONS, CA	1,504	1,504
SUCCESS LAKE, CA	1,969	1,969
SUISUN BAY CHANNEL, CA	1,635	1,635

CORPS OF ENGINEERS - OPERATION AND MAINTENANCE

PROJECT TITLE	BUDGET REQUEST	CONFERENCE
TERMINUS DAM, LAKE KAWEAH, CA	1,747	1,747
VENTURA HARBOR, CA	2,980	4,145
YUBA RIVER, CA	102	102
COLORADO		
BEAR CREEK LAKE, CO	420	420
CHATFIELD LAKE, CO	797	1,097
CHERRY CREEK LAKE, CO	525	825
INSPECTION OF COMPLETED WORKS, CO	70	70
JOHN MARTIN RESERVOIR, CO	3,454	3,454
SCHEDULING RESERVOIR OPERATIONS, CO	249	249
TRINIDAD LAKE, CO	733	1,033
CONNECTICUT		
BLACK ROCK LAKE, CT	490	490
COLEBROOK RIVER LAKE, CT	454	454
HANCOCK BROOK LAKE, CT	221	221
HOP BROOK LAKE, CT	979	979
MANSFIELD HOLLOW LAKE, CT	424	424
NORTHFIELD BROOK LAKE, CT	294	294
STAMFORD HURRICANE BARRIER, CT	485	485
THOMASTON DAM, CT	516	516
WEST THOMPSON LAKE, CT	711	711
DELAWARE		
INTRACOASTAL WATERWAY, DELAWARE R TO CHESAPEAKE BAY, D	12,223	13,500
INTRACOASTAL WATERWAY, REHOBOTH BAY TO DELAWARE BAY, D	888	888
MISPILLION RIVER, DE	140	140
MURDERKILL RIVER, DE	140	140
WILMINGTON HARBOR, DE	2,985	2,985
DISTRICT OF COLUMBIA		
POTOMAC AND ANACOSTIA RIVERS (DRIFT REMOVAL), DC	928	928
WASHINGTON HARBOR, DC	48	48
FLORIDA		
APALACHICOLA BAY, FL	300	300
CANAVERAL HARBOR, FL	3,966	6,896
CARRABELLE BAY HARBOR, FL	---	150
CENTRAL AND SOUTHERN FLORIDA, FL	11,591	11,591
CLEARWATER PASS, FL	---	1,000
EAST PASS CHANNEL, FL	700	700
FERNANDINA HARBOR, FL	3,037	3,037
FORT PIERCE HARBOR, FL	49	2,000
HORSESHOE COVE, FL	520	520
INSPECTION OF COMPLETED WORKS, FL	100	100
INTRACOASTAL WATERWAY, JACKSONVILLE TO MIAMI, FL	2,173	2,173
JACKSONVILLE HARBOR, FL	4,040	4,040
JIM WOODRUFF LOCK AND DAM, LAKE SEMINOLE, FL, AL & GA.	5,719	5,719
MANATEE HARBOR, FL	20	20
MIAMI HARBOR, FL	3,700	3,700
MIAMI RIVER, FL	---	4,000
NAPLES TO BIG MARCO PASS, FL	---	1,000
NEW PASS CHANNEL, FL	---	1,800
OKEECHOBEE WATERWAY, FL	2,520	2,520

CORPS OF ENGINEERS - OPERATION AND MAINTENANCE

PROJECT TITLE	BUDGET REQUEST	CONFERENCE
PALM BEACH HARBOR, FL	3,253	3,253
PANAMA CITY HARBOR, FL	1,000	1,000
PENSACOLA HARBOR, FL	500	500
PONCE DE LEON INLET, FL	2,032	2,032
PORT ST JOE HARBOR, FL	500	500
PROJECT CONDITION SURVEYS, FL	600	600
REMOVAL OF AQUATIC GROWTH, FL	3,634	3,634
SCHEDULING RESERVOIR OPERATIONS, FL	50	50
SUWANEE RIVER, FL	---	2,000
TAMPA HARBOR, FL	4,163	4,163
WITHLACOOCHIE RIVER, FL	34	34
GEORGIA		
ALLATOONA LAKE, GA	5,427	6,333
APALACHICOLA, CHATTAHOOCHEE AND FLINT RIVERS, GA, AL &	1,237	12,900
ATLANTIC INTRACOASTAL WATERWAY, GA	2,172	2,172
BRUNSWICK HARBOR, GA	3,902	3,902
BUFORD DAM AND LAKE SIDNEY LANIER, GA	7,525	7,525
CARTERS DAM AND LAKE, GA	7,600	8,800
HARTWELL LAKE, GA & SC	11,876	11,876
INSPECTION OF COMPLETED WORKS, GA	41	41
J STROM THURMOND LAKE, GA & SC	10,325	10,325
RICHARD B RUSSELL DAM AND LAKE, GA & SC	6,564	6,564
SAVANNAH HARBOR, GA	12,911	14,000
SAVANNAH RIVER BELOW AUGUSTA, GA	215	215
WEST POINT DAM AND LAKE, GA & AL	4,865	4,865
HAWAII		
BARBERS POINT HARBOR, HI	344	344
INSPECTION OF COMPLETED WORKS, HI	122	122
PROJECT CONDITION SURVEYS, HI	508	508
IDAHO		
ALBENI FALLS DAM, ID	1,475	1,475
DWORSHAK DAM AND RESERVOIR, ID	4,002	4,002
INSPECTION OF COMPLETED WORKS, ID	75	75
LUCKY PEAK LAKE, ID	1,526	1,526
SCHEDULING RESERVOIR OPERATIONS, ID	342	342
ILLINOIS		
CALUMET HARBOR AND RIVER, IL & IN	3,709	3,709
CARLYLE LAKE, IL	4,962	4,962
CHICAGO HARBOR, IL	2,662	2,662
CHICAGO RIVER, IL	362	362
FARM CREEK RESERVOIRS, IL	170	170
ILLINOIS WATERWAY (MVR PORTION), IL & IN	21,881	21,881
ILLINOIS WATERWAY (MVS PORTION), IL & IN	1,610	1,610
INSPECTION OF COMPLETED WORKS, IL	758	758
KASKASKIA RIVER NAVIGATION, IL	1,159	1,650
LAKE MICHIGAN DIVERSION, IL	1,037	1,037
LAKE SHELBYVILLE, IL	6,071	6,071
MISS RIVER BTWN MO RIVER AND MINNEAPOLIS (MVR PORTION)	42,431	42,431
MISS RIVER BTWN MO RIVER AND MINNEAPOLIS (MVS PORTION)	13,897	13,897
PROJECT CONDITION SURVEYS, IL	43	43
REND LAKE, IL	4,760	4,760
SURVEILLANCE OF NORTHERN BOUNDARY WATERS, IL	97	97
WAUKEGAN HARBOR, IL	770	770

CORPS OF ENGINEERS - OPERATION AND MAINTENANCE

PROJECT TITLE	BUDGET REQUEST	CONFERENCE
BROOKVILLE LAKE, IN	792	792
BURNS WATERWAY HARBOR, IN	3,977	3,977
CAGLES MILL LAKE, IN	674	674
CECIL M HARDEN LAKE, IN	829	829
INDIANA HARBOR, IN	64	64
INSPECTION OF COMPLETED WORKS, IN	102	102
J EDWARD ROUSH LAKE, IN	690	690
MICHIGAN CITY HARBOR, IN	1,495	1,495
MISSISSINEWA LAKE, IN	803	803
MONROE LAKE, IN	819	819
PATOKA LAKE, IN	757	757
PROJECT CONDITION SURVEYS, IN	42	42
SALAMONIE LAKE, IN	710	710
SURVEILLANCE OF NORTHERN BOUNDARY WATERS, IN	90	90
IOWA		
CORALVILLE LAKE, IA	2,735	2,735
INSPECTION OF COMPLETED WORKS, IA	812	812
MISSOURI RIVER - KENSLERS BEND, NE TO SIOUX CITY, IA	148	148
MISSOURI RIVER - RULO TO MOUTH, IA, NE, KS & MO	3,270	6,880
MISSOURI RIVER - SIOUX CITY TO RULO, IA & NE	2,263	2,263
RATHBUN LAKE, IA	2,195	2,195
RED ROCK DAM AND LAKE RED ROCK, IA	3,356	5,182
SAYLORVILLE LAKE, IA	3,887	3,887
KANSAS		
CLINTON LAKE, KS	2,201	2,201
COUNCIL GROVE LAKE, KS	1,116	1,116
EL DORADO LAKE, KS	478	478
ELK CITY LAKE, KS	526	526
FALL RIVER LAKE, KS	973	973
HILLSDALE LAKE, KS	1,014	1,014
INSPECTION OF COMPLETED WORKS, KS	45	45
JOHN REDMOND DAM AND RESERVOIR, KS	1,100	1,100
KANOPOLIS LAKE, KS	1,507	1,507
MARION LAKE, KS	1,422	1,422
MELVERN LAKE, KS	2,006	2,006
MILFORD LAKE, KS	1,997	1,997
PEARSON - SKUBITZ BIG HILL LAKE, KS	898	898
PERRY LAKE, KS	2,055	3,000
POMONA LAKE, KS	2,130	2,130
SCHEDULING RESERVOIR OPERATIONS, KS	185	185
TORONTO LAKE, KS	456	456
TUTTLE CREEK LAKE, KS	2,004	2,004
WILSON LAKE, KS	2,069	2,069
KENTUCKY		
BARKLEY DAM AND LAKE BARKLEY, KY & TN	6,896	6,896
BARREN RIVER LAKE, KY	1,900	1,900
BIG SANDY HARBOR, KY	1,099	1,099
BUCKHORN LAKE, KY	1,440	1,560
CARR CREEK LAKE, KY	1,656	1,776
CAVE RUN LAKE, KY	834	834
DEWEY LAKE, KY	1,371	1,371
ELVIS STAHR (HICKMAN) HARBOR	---	460
FISHTRAP LAKE, KY	2,095	2,095
GRAYSON LAKE, KY	1,332	1,332
GREEN AND BARREN RIVERS, KY	1,079	1,079

CORPS OF ENGINEERS - OPERATION AND MAINTENANCE

PROJECT TITLE	BUDGET REQUEST	CONFERENCE
GREEN RIVER LAKE, KY	2,107	2,107
INSPECTION OF COMPLETED WORKS, KY	87	87
KENTUCKY RIVER, KY	913	913
LAUREL RIVER LAKE, KY	1,311	1,311
MARTINS FORK LAKE, KY	617	617
MIDDLESBORO CUMBERLAND RIVER BASIN, KY	106	106
NOLIN LAKE, KY	1,808	1,808
OHIO RIVER LOCKS AND DAMS, KY, IL, IN & OH	28,572	28,572
OHIO RIVER OPEN CHANNEL WORK, KY, IL, IN & OH	5,180	5,180
PAINTSVILLE LAKE, KY	1,178	1,178
ROUGH RIVER LAKE, KY	2,069	2,069
TAYLORSVILLE LAKE, KY	993	993
WOLF CREEK DAM, LAKE CUMBERLAND, KY	5,407	5,407
YATESVILLE LAKE, KY	1,136	1,136
LOUISIANA		
ATCHAFALAYA RIVER AND BAYOUS CHENE, BOEUF AND BLACK, L	13,181	13,181
BARATARIA BAY WATERWAY, LA	---	2,000
BAYOU BODCAU RESERVOIR, LA	652	652
BAYOU LAFOURCHE AND LAFOURCHE JUMP WATERWAY, LA	730	730
BAYOU PIERRE, LA	28	28
BAYOU SEGNETTE WATERWAY, LA	---	740
BAYOU TECHE, LA	---	2,000
CADDO LAKE, LA	92	92
CALCASIEU RIVER AND PASS, LA	12,773	12,773
FRESHWATER BAYOU, LA	1,595	3,595
GULF INTRACOASTAL WATERWAY, LA	18,195	19,500
HOUMA NAVIGATION CANAL, LA	3,343	3,343
INSPECTION OF COMPLETED WORKS, LA	549	549
J BENNETT JOHNSTON WATERWAY, LA	8,477	11,477
LAKE PROVIDENCE HARBOR, LA	---	592
MADISON PARISH PORT, LA	---	120
MERMENTAU RIVER, LA	933	1,258
MISSISSIPPI RIVER OUTLETS AT VENICE, LA	1,937	1,937
MISSISSIPPI RIVER, BATON ROUGE TO THE GULF OF MEXICO,	55,831	55,831
MISSISSIPPI RIVER, GULF OUTLET, LA	13,111	15,111
PROJECT CONDITION SURVEYS, LA	80	80
REMOVAL OF AQUATIC GROWTH, LA	2,000	2,000
WALLACE LAKE, LA	154	154
WATERWAY FROM IWW TO BAYOU DULAC, LA	---	500
MAINE		
PENOBSCOT RIVER, ME	---	275
PROJECT CONDITION SURVEYS, ME	1,130	1,130
SURVEILLANCE OF NORTHERN BOUNDARY WATERS, ME	17	17
UNION RIVER, ME	230	230
MARYLAND		
BALTIMORE HARBOR (DRIFT REMOVAL), MD	464	464
BALTIMORE HARBOR (PREVENTION OF OBSTRUCTIVE DEPOSITS),	650	650
BALTIMORE HARBOR AND CHANNELS (50 FOOT), MD	22,568	22,568
CUMBERLAND, MD AND RIDGELEY, WV	157	157
HERRING BAY AND ROCKHOLD CREEK, MD	---	500
HONGA RIVER AND TAR BAY - BACK CREEK, MD	---	300
INSPECTION OF COMPLETED WORKS, MD	330	330
JENNINGS RANDOLPH LAKE, MD & WV	2,074	3,074
NANTICOKE HARBOR, MD	---	700
NANTICOKE RIVER NORTHWEST FORK, MD	865	865
NEALE SOUND, CHARLES COUNTY, MD	---	677
OCEAN CITY HARBOR AND INLET AND SINEPUXENT BAY, MD	2,798	2,798

CORPS OF ENGINEERS - OPERATION AND MAINTENANCE

PROJECT TITLE	BUDGET REQUEST	CONFERENCE
PROJECT CONDITION SURVEYS, MD	459	459
RHODES POINT TO TYLERTON, MD	736	736
SCHEDULING RESERVOIR OPERATIONS, MD	142	142
TOLCHESTER CHANNEL, MD	1,901	1,901
TWITCH COVE AND BIG THOROFARE RIVER, MD	742	742
WICOMICO RIVER, MD	450	450
MASSACHUSETTS		
ANDREWS RIVER, MA	---	130
AUNT LYDIA'S COVE, MA	---	300
BARRE FALLS DAM, MA	489	489
BIRCH HILL DAM, MA	511	511
BUFFUMVILLE LAKE, MA	427	427
CAPE COD CANAL, MA	10,150	10,150
CHARLES RIVER NATURAL VALLEY STORAGE AREA, MA	294	294
CONANT BROOK LAKE, MA	234	234
EAST BRIMFIELD LAKE, MA	325	325
GREEN HARBOR, MA	378	378
HODGES VILLAGE DAM, MA	416	416
INSPECTION OF COMPLETED WORKS, MA	125	125
KNIGHTVILLE DAM, MA	648	648
LITTLEVILLE LAKE, MA	476	476
NEW BEDFORD FAIRHAVEN AND ACUSHNET HURRICANE BARRIER,	358	358
PLYMOUTH HARBOR, MA	3,356	3,356
PROJECT CONDITION SURVEYS, MA	3,536	3,536
SCITUATE HARBOR, MA	---	1,500
TULLY LAKE, MA	665	665
WEST HILL DAM, MA	607	607
WESTVILLE LAKE, MA	397	397
MICHIGAN		
CHANNELS IN LAKE ST CLAIR, MI	118	118
CHARLEVOIX HARBOR, MI	122	122
DETROIT RIVER, MI	3,692	3,692
FRANKFORT HARBOR, MI	47	47
GRAND HAVEN HARBOR, MI	2,239	2,239
GRAND MARAIS HARBOR, MI	---	200
GRAND TRAVERSE BAY HARBOR, MI	10	10
HOLLAND HARBOR, MI	554	554
INSPECTION OF COMPLETED WORKS, MI	205	205
KEWEENAW WATERWAY, MI	804	804
LELAND HARBOR, MI	191	191
LUDINGTON HARBOR, MI	103	103
MANISTEE HARBOR, MI	42	42
MARQUETTE HARBOR, MI	239	239
MENOMINEE HARBOR, MI & WI	104	104
MONROE HARBOR, MI	52	52
MUSKEGON HARBOR, MI	451	451
ONTONAGON HARBOR, MI	1,544	1,544
PENTWATER HARBOR, MI	185	185
PORTAGE LAKE HARBOR, MI	2,518	2,518
PROJECT CONDITION SURVEYS, MI	275	275
ROUGE RIVER, MI	87	87
SAGINAW RIVER, MI	1,587	1,587
SAUGATUCK HARBOR, MI	1,231	1,231
SEBEWAING RIVER (ICE JAM REMOVAL), MI	10	10
SOUTH HAVEN HARBOR, MI	1,563	1,563
ST CLAIR RIVER, MI	759	759
ST JOSEPH HARBOR, MI	638	638
ST MARYS RIVER, MI	17,418	18,418
SURVEILLANCE OF NORTHERN BOUNDARY WATERS, MI	3,295	3,295

CORPS OF ENGINEERS - OPERATION AND MAINTENANCE

PROJECT TITLE	BUDGET REQUEST	CONFERENCE
MINNESOTA		
BIGSTONE LAKE WHETSTONE RIVER, MN & SD	217	217
DULUTH - SUPERIOR HARBOR, MN & WI	2,692	2,692
INSPECTION OF COMPLETED WORKS, MN	101	101
LAC QUI PARLE LAKES, MINNESOTA RIVER, MN	573	573
MINNESOTA RIVER, MN	130	130
MISS RIVER BTWN MO RIVER AND MINNEAPOLIS (MVP PORTION)	45,329	45,329
ORWELL LAKE, MN	337	337
PROJECT CONDITION SURVEYS, MN	7	7
RED LAKE RESERVOIR, MN	146	146
RESERVOIRS AT HEADWATERS OF MISSISSIPPI RIVER, MN	3,552	3,552
SURVEILLANCE OF NORTHERN BOUNDARY WATERS, MN	94	94
MISSISSIPPI		
BILOXI HARBOR, MS	30	30
CLAIRBORNE COUNTY PORT, MS	---	122
EAST FORK, TOMBIGBEE RIVER, MS	170	170
GULFPORT HARBOR, MS	2,100	2,100
INSPECTION OF COMPLETED WORKS, MS	126	126
MOUTH OF YAZOO RIVER, MS	---	120
OKATIBBEE LAKE, MS	1,584	1,584
PASCAGOULA HARBOR, MS	4,200	4,200
PEARL RIVER, MS & LA	250	250
ROSEDALE HARBOR, MS	---	661
YAZOO RIVER, MS	---	115
MISSOURI		
CARUTHERSVILLE HARBOR, MO	---	240
CLARENCE CANNON DAM AND MARK TWAIN LAKE, MO	6,196	6,196
CLEARWATER LAKE, MO	2,184	3,819
HARRY S TRUMAN DAM AND RESERVOIR, MO	8,215	8,215
INSPECTION OF COMPLETED WORKS, MO	142	142
LITTLE BLUE RIVER LAKES, MO	800	800
LONG BRANCH LAKE, MO	876	876
MISS RIVER BTWN THE OHIO AND MO RIVERS (REG WORKS), MO	13,068	13,068
NEW MADRID HARBOR, MO	---	290
POMME DE TERRE LAKE, MO	2,204	2,204
PROJECT CONDITION SURVEYS, MO	10	10
SMITHVILLE LAKE, MO	1,128	1,128
SOUTHEAST MISSOURI PORT, MISSISSIPPI RIVER	---	400
STOCKTON LAKE, MO	4,065	4,065
TABLE ROCK LAKE, MO	6,826	8,826
UNION LAKE, MO	10	10
MONTANA		
FT PECK DAM AND LAKE, MT	4,342	4,342
LIBBY DAM, LAKE KOOCANUSA, MT	1,791	1,791
NEBRASKA		
GAVINS POINT DAM, LEWIS AND CLARK LAKE, NE & SD	6,495	6,745
HARLAN COUNTY LAKE, NE	2,019	2,019
MISSOURI NATIONAL RECREATIONAL RIVER, NE	---	275
MISSOURI R MASTER WTR CONTROL MANUAL, NE, IA, KS, MO,.	500	500
MISSOURI RIVER BASIN COLLABORATIVE WATER PLANNING (NWK	80	80
MISSOURI RIVER BASIN COLLABORATIVE WATER PLANNING (NWO	125	125
PAPILLION CREEK AND TRIBUTARIES LAKES, NE	611	611
SALT CREEK AND TRIBUTARIES, NE	847	847
SCHEDULING RESERVOIR OPERATIONS, NE	329	329

CORPS OF ENGINEERS - OPERATION AND MAINTENANCE

PROJECT TITLE	BUDGET REQUEST	CONFERENCE
NEVADA		
INSPECTION OF COMPLETED WORKS, NV	43	43
MARTIS CREEK LAKE, NV & CA	576	576
PINE AND MATHEWS CANYONS LAKES, NV	210	210
NEW HAMPSHIRE		
BLACKWATER DAM, NH	607	607
COCHECO RIVER	---	300
EDWARD MACDOWELL LAKE, NH	460	460
FRANKLIN FALLS DAM, NH	1,104	1,104
HOPKINTON - EVERETT LAKES, NH	1,412	1,412
OTTER BROOK LAKE, NH	781	781
PORTSMOUTH HARBOR AND PISCATAQUA RIVER, NH	287	287
SAGAMORE CREEK CHANNEL, NH	---	400
SURRY MOUNTAIN LAKE, NH	749	749
NEW JERSEY		
BARNEGAT INLET, NJ	1,400	3,200
COLD SPRING INLET, NJ	410	410
DELAWARE RIVER AT CAMDEN, NJ	19	19
DELAWARE RIVER, PHILADELPHIA TO THE SEA, NJ, PA & DE	17,105	19,105
DELAWARE RIVER, PHILADELPHIA, PA TO TRENTON, NJ	3,465	3,465
NEW JERSEY INTRACOASTAL WATERWAY, NJ	2,800	2,800
NEWARK BAY, HACKENSACK AND PASSAIC RIVERS, NJ	2,900	2,900
PASSAIC RIVER FLOOD WARNING SYSTEMS, NJ	425	425
SHARK RIVER, NJ	100	100
SHREWSBURY RIVER, MAIN CHANNEL, NJ	---	130
NEW MEXICO		
ABIQUIU DAM, NM	1,556	3,056
COCHITI LAKE, NM	2,209	2,209
CONCHAS LAKE, NM	1,932	1,932
GALISTEO DAM, NM	368	468
INSPECTION OF COMPLETED WORKS, NM	80	80
JEMEZ CANYON DAM, NM	541	541
SANTA ROSA DAM AND LAKE, NM	1,049	1,229
SCHEDULING RESERVOIR OPERATIONS, NM	130	130
TWO RIVERS DAM, NM	328	328
UPPER RIO GRANDE WATER OPERATIONS MODEL	---	1,500
NEW YORK		
ALMOND LAKE, NY	463	463
ARKPORT DAM, NY	252	252
BLACK ROCK CHANNEL AND TONAWANDA HARBOR, NY	2,795	2,795
BUFFALO HARBOR, NY	515	515
DUNKIRK HARBOR, NY	280	280
EAST RIVER, NY	600	600
EAST ROCKAWAY INLET, NY	250	250
EAST SIDNEY LAKE, NY	513	513
FIRE ISLAND INLET TO JONES INLET, NY	2,300	2,300
FLUSHING BAY AND CREEK, NY	3,000	4,000
GREAT KILLS HARBOR, NY	---	1,000
GREAT SODUS BAY HARBOR, NY	50	50
GREAT SOUTH BAY, NY	100	100
HUDSON RIVER, NY (MAINT)	2,525	2,525
HUDSON RIVER, NY (O&C)	1,340	1,340
INSPECTION OF COMPLETED WORKS, NY	509	509
JAMAICA BAY, NY	250	250
JONES INLET, NY	100	100

CORPS OF ENGINEERS - OPERATION AND MAINTENANCE

PROJECT TITLE	BUDGET REQUEST	CONFERENCE
LAKE MONTAUK HARBOR, NY	80	80
LITTLE SODUS BAY HARBOR, NY	50	50
LONG ISLAND INTRACOASTAL WATERWAY, NY	70	70
MORICHES INLET, NY	80	80
MT MORRIS LAKE, NY	2,616	2,616
NEW YORK AND NEW JERSEY CHANNELS, NY	4,250	4,250
NEW YORK HARBOR (DRIFT REMOVAL), NY & NJ	5,030	5,030
NEW YORK HARBOR (PREVENTION OF OBSTRUCTIVE DEPOSITS),	750	750
NEW YORK HARBOR, NY	5,570	5,570
OSWEGO HARBOR, NY	20	20
PLATTSBURGH HARBOR, NY	---	2,000
PROJECT CONDITION SURVEYS, NY	2,563	2,563
ROCHESTER HARBOR, NY	35	35
RONDOUT HARBOR, NY	475	475
SAG HARBOR, NY	925	925
SHINNECOCK INLET, NY	100	100
SOUTHERN NEW YORK FLOOD CONTROL PROJECTS, NY	750	750
SURVEILLANCE OF NORTHERN BOUNDARY WATERS, NY	479	479
WHITNEY POINT LAKE, NY	564	564
NORTH CAROLINA		
ATLANTIC INTRACOASTAL WATERWAY, NC	2,391	5,000
B EVERETT JORDAN DAM AND LAKE, NC	3,065	3,065
BEAUFORT HARBOR, NC	35	35
BOGUE INLET AND CHANNEL, NC	1,267	1,267
CAPE FEAR RIVER ABOVE WILMINGTON, NC	486	486
CAROLINA BEACH INLET, NC	1,060	1,060
FALLS LAKE, NC	1,516	1,516
INSPECTION OF COMPLETED WORKS, NC	22	22
LOCKWOODS FOLLY RIVER, NC	895	1,895
MANTEO (SHALLOWBAG) BAY, NC	4,863	4,863
MASONBORO INLET AND CONNECTING CHANNELS, NC	2,245	2,945
MOREHEAD CITY HARBOR, NC	4,450	4,750
NEW RIVER INLET, NC	1,235	1,235
NEW TOPSAIL INLET AND CONNECTING CHANNELS, NC	940	940
PAMLICO AND TAR RIVERS, NC	139	139
PROJECT CONDITION SURVEYS, NC	64	64
ROANOKE RIVER, NC	100	100
W KERR SCOTT DAM AND RESERVOIR, NC	2,253	2,253
WILMINGTON HARBOR, NC	5,105	5,105
NORTH DAKOTA		
BOWMAN - HALEY LAKE, ND	210	210
GARRISON DAM, LAKE SAKAKAWEA, ND	9,111	9,911
HOMME LAKE, ND	164	164
INSPECTION OF COMPLETED WORKS, ND	52	52
LAKE ASHTABULA AND BALDHILL DAM, ND	1,264	1,264
PIPESTEM LAKE, ND	402	402
SOURIS RIVER, ND	385	385
OHIO		
ALUM CREEK LAKE, OH	799	799
ASHTABULA HARBOR, OH	2,051	2,051
BERLIN LAKE, OH	1,872	1,872
CAESAR CREEK LAKE, OH	1,142	1,142
CLARENCE J BROWN DAM, OH	723	723
CLEVELAND HARBOR, OH	3,700	3,700
CONNEAUT HARBOR, OH	30	30
DEER CREEK LAKE, OH	903	903
DELAWARE LAKE, OH	642	642
DILLON LAKE, OH	527	527

CORPS OF ENGINEERS - OPERATION AND MAINTENANCE

PROJECT TITLE	BUDGET REQUEST	CONFERENCE
FAIRPORT HARBOR, OH	1,235	1,235
HURON HARBOR, OH	1,040	1,040
INSPECTION OF COMPLETED WORKS, OH	166	166
LORAIN HARBOR, OH	1,100	1,100
MASSILLON LOCAL PROTECTION PROJECT, OH	25	25
MICHAEL J KIRWAN DAM AND RESERVOIR, OH	809	809
MOSQUITO CREEK LAKE, OH	1,054	1,054
MUSKINGUM RIVER LAKES, OH	6,284	6,284
NORTH BRANCH KOKOSING RIVER LAKE, OH	358	358
PAINT CREEK LAKE, OH	680	680
PORT CLINTON HARBOR, OH	1,080	1,080
PROJECT CONDITION SURVEYS, OH	85	85
ROSEVILLE LOCAL PROTECTION PROJECT, OH	30	30
SANDUSKY HARBOR, OH	950	950
SURVEILLANCE OF NORTHERN BOUNDARY WATERS, OH	190	190
TOLEDO HARBOR, OH	3,211	3,211
TOM JENKINS DAM, OH	229	229
TOUSSAINT RIVER, OH	10	10
WEST FORK OF MILL CREEK LAKE, OH	476	476
WILLIAM H HARSHA LAKE, OH	816	816
OKLAHOMA		
ARCADIA LAKE, OK	429	429
BIRCH LAKE, OK	572	572
BROKEN BOW LAKE, OK	1,549	1,549
CANDY LAKE, OK	18	18
CANTON LAKE, OK	3,012	3,012
COPAN LAKE, OK	824	824
EUFAULA LAKE, OK	6,277	6,277
FORT GIBSON LAKE, OK	4,144	4,144
FORT SUPPLY LAKE, OK	879	879
GREAT SALT PLAINS LAKE, OK	234	234
HEYBURN LAKE, OK	572	572
HUGO LAKE, OK	1,670	1,800
HULAH LAKE, OK	406	406
INSPECTION OF COMPLETED WORKS, OK	91	91
KAW LAKE, OK	1,840	1,840
KEYSTONE LAKE, OK	5,553	5,553
MCCLELLAN - KERR ARKANSAS RIVER NAVIGATION SYSTEM, OK.	3,025	3,025
OOLOGAH LAKE, OK	1,843	1,843
OPTIMA LAKE, OK	56	56
PENSACOLA RESERVOIR, LAKE OF THE CHEROKEES, OK	32	32
PINE CREEK LAKE, OK	1,170	1,170
ROBERT S KERR LOCK AND DAM AND RESERVOIRS, OK	5,130	5,130
SARDIS LAKE, OK	913	913
SCHEDULING RESERVOIR OPERATIONS, OK	370	370
SKIATOOK LAKE, OK	893	893
TENKILLER FERRY LAKE, OK	3,228	3,228
WAURIKA LAKE, OK	1,426	1,426
WEBBERS FALLS LOCK AND DAM, OK	3,557	3,557
WISTER LAKE, OK	602	672
OREGON		
APPLEGATE LAKE, OR	720	720
BLUE RIVER LAKE, OR	260	260
BONNEVILLE LOCK AND DAM, OR & WA	5,430	5,880
CHETCO RIVER, OR	402	402
COLUMBIA & LWR WILLAMETTE R BLW VANCOUVER, WA & PORTLA	13,042	16,042
COLUMBIA RIVER AT THE MOUTH, OR & WA	7,818	8,018
COLUMBIA RIVER BETWEEN VANCOUVER, WA AND THE DALLES, O	352	352
COOS BAY, OR	4,692	4,692
COQUILLE RIVER, OR	193	193

CORPS OF ENGINEERS - OPERATION AND MAINTENANCE

PROJECT TITLE	BUDGET REQUEST	CONFERENCE
COTTAGE GROVE LAKE, OR	981	981
COUGAR LAKE, OR	752	752
DEPOE BAY, OR	3	3
DETROIT LAKE, OR	584	584
DORENA LAKE, OR	649	649
FALL CREEK LAKE, OR	722	722
FERN RIDGE LAKE, OR	952	952
GREEN PETER - FOSTER LAKES, OR	1,196	1,196
HILLS CREEK LAKE, OR	377	377
INSPECTION OF COMPLETED WORKS, OR	176	176
JOHN DAY LOCK AND DAM, OR & WA	4,056	4,356
LOOKOUT POINT LAKE, OR	1,818	1,818
LOST CREEK LAKE, OR	3,049	3,049
MCNARY LOCK AND DAM, OR & WA	3,650	3,650
PORT ORFORD, OR	631	631
PROJECT CONDITION SURVEYS, OR	200	200
ROGUE RIVER AT GOLD BEACH, OR	674	674
SCHEDULING RESERVOIR OPERATIONS, OR	69	69
SIUSLAW RIVER, OR	781	781
SKIPANON CHANNEL, OR	161	161
SURVEILLANCE OF NORTHERN BOUNDARY WATERS, OR	134	134
TILLAMOOK BAY AND BAR, OR	14	214
UMPQUA RIVER, OR	834	834
WILLAMETTE RIVER AT WILLAMETTE FALLS, OR	291	291
WILLAMETTE RIVER BANK PROTECTION, OR	68	68
WILLOW CREEK LAKE, OR	830	830
YAQUINA BAY AND HARBOR, OR	2,354	2,454
PENNSYLVANIA		
ALLEGHENY RIVER, PA	6,015	6,015
ALVIN R BUSH DAM, PA	622	622
AYLESWORTH CREEK LAKE, PA	229	229
BELTZVILLE LAKE, PA	1,355	1,355
BLUE MARSH LAKE, PA	2,285	2,285
CONEMAUGH RIVER LAKE, PA	945	945
COWANESQUE LAKE, PA	1,887	1,887
CROOKED CREEK LAKE, PA	2,001	2,001
CURWENSVILLE LAKE, PA	676	676
EAST BRANCH CLARION RIVER LAKE, PA	1,322	1,322
ERIE HARBOR, PA	70	70
FOSTER JOSEPH SAYERS DAM, PA	729	729
FRANCIS E WALTER DAM, PA	797	1,097
GENERAL EDGAR JADWIN DAM AND RESERVOIR, PA	365	365
INSPECTION OF COMPLETED WORKS, PA	95	95
JOHNSTOWN, PA	1,115	1,115
KINZUA DAM AND ALLEGHENY RESERVOIR, PA	1,189	1,189
LOYALHANNA LAKE, PA	977	977
MAHONING CREEK LAKE, PA	1,093	1,093
MONONGAHELA RIVER, PA	14,203	14,203
OHIO RIVER LOCKS AND DAMS, PA, OH & WV	19,321	19,321
OHIO RIVER OPEN CHANNEL WORK, PA, OH & WV	58	58
PROJECT CONDITION SURVEYS, PA	88	88
PROMPTON LAKE, PA	482	482
PUNXSUTAWNEY, PA	15	15
RAYSTOWN LAKE, PA	3,902	3,902
SCHUYLKILL RIVER, PA	1,315	1,315
SHENANGO RIVER LAKE, PA	2,252	2,252
STILLWATER LAKE, PA	350	350
SURVEILLANCE OF NORTHERN BOUNDARY WATERS, PA	65	65
TIOGA - HAMMOND LAKES, PA	2,501	2,501
TIONESTA LAKE, PA	2,262	3,012
UNION CITY LAKE, PA	221	221
WOODCOCK CREEK LAKE, PA	761	761

CORPS OF ENGINEERS - OPERATION AND MAINTENANCE

PROJECT TITLE	BUDGET REQUEST	CONFERENCE
YORK INDIAN ROCK DAM, PA	547	547
YOUGHIOGHENY RIVER LAKE, PA & MD	1,871	1,871
RHODE ISLAND		
PROVIDENCE RIVER AND HARBOR, RI	2,110	2,610
SOUTH CAROLINA		
ATLANTIC INTRACOASTAL WATERWAY, SC	1,575	2,000
CHARLESTON HARBOR, SC	5,171	5,171
COOPER RIVER, CHARLESTON HARBOR, SC	3,201	3,201
FOLLY RIVER, SC	748	748
GEORGETOWN HARBOR, SC	5,738	5,738
INSPECTION OF COMPLETED WORKS, SC	26	26
MURRELLS INLET, SC	---	2,200
PORT ROYAL HARBOR, SC	169	500
PROJECT CONDITION SURVEYS, SC	45	45
SHIPYARD RIVER, SC	486	486
TOWN CREEK, SC	305	305
SOUTH DAKOTA		
BIG BEND DAM, LAKE SHARPE, SD	6,136	6,386
COLD BROOK LAKE, SD	433	433
COTTONWOOD SPRINGS LAKE, SD	197	197
FORT RANDALL DAM, LAKE FRANCIS CASE, SD	8,044	8,294
LAKE TRAVERSE, SD & MN	531	531
MISSOURI R BETWEEN FORT PECK DAM AND GAVINS PT, SD, MT	625	625
OAHE DAM, LAKE OAHE, SD & ND	9,480	9,730
SCHEDULING RESERVOIR OPERATIONS, SD	306	306
TENNESSEE		
CENTER HILL LAKE, TN	4,757	4,757
CHEATHAM LOCK AND DAM, TN	4,217	4,217
CHICKAMAUGA LOCK, TN	2,315	2,315
CORDELL HULL DAM AND RESERVOIR, TN	3,910	3,910
DALE HOLLOW LAKE, TN	4,217	4,217
INSPECTION OF COMPLETED WORKS, TN	97	97
J PERCY PRIEST DAM AND RESERVOIR, TN	3,222	3,222
OLD HICKORY LOCK AND DAM, TN	5,981	5,981
PROJECT CONDITION SURVEYS, TN	19	19
TENNESSEE RIVER, TN	16,422	16,422
WOLF RIVER HARBOR, TN	---	450
TEXAS		
AQUILLA LAKE, TX	708	708
ARKANSAS - RED RIVER BASINS CHLORIDE CONTROL - AREA VI	1,267	1,267
BARBOUR TERMINAL CHANNEL, TX	577	577
BARDWELL LAKE, TX	1,499	1,499
BAYPORT SHIP CHANNEL, TX	2,275	2,275
BELTON LAKE, TX	2,578	2,578
BENBROOK LAKE, TX	2,290	2,290
BRAZOS ISLAND HARBOR, TX	1,222	1,222
BUFFALO BAYOU AND TRIBUTARIES, TX	2,977	2,977
CANYON LAKE, TX	2,743	2,743
CORPUS CHRISTI SHIP CHANNEL, TX	5,399	5,399
DENISON DAM, LAKE TEXOMA, TX	5,532	5,532
ESTELLINE SPRINGS EXPERIMENTAL PROJECT, TX	5	5
FERRELLS BRIDGE DAM, LAKE O' THE PINES, TX	2,554	2,554
FREEPORT HARBOR, TX	6,950	6,950
GALVESTON HARBOR AND CHANNEL, TX	130	130

CORPS OF ENGINEERS - OPERATION AND MAINTENANCE

PROJECT TITLE	BUDGET REQUEST	CONFERENCE
GIWW, CHANNEL TO VICTORIA, TX	585	585
GRANGER DAM AND LAKE, TX	1,535	1,535
GRAPEVINE LAKE, TX	2,478	2,478
GULF INTRACOASTAL WATERWAY, TX	19,994	19,994
HORDS CREEK LAKE, TX	1,190	1,190
HOUSTON SHIP CHANNEL, TX	7,555	13,000
INSPECTION OF COMPLETED WORKS, TX	452	452
JIM CHAPMAN LAKE, TX	1,189	1,189
JOE POOL LAKE, TX	784	784
LAKE KEMP, TX	143	143
LAVON LAKE, TX	2,485	2,485
LEWISVILLE DAM, TX	3,253	3,253
MATAGORDA SHIP CHANNEL, TX	1,665	1,665
MOUTH OF THE COLORADO RIVER, TX	2,480	2,480
NAVARRO MILLS LAKE, TX	1,596	1,596
NORTH SAN GABRIEL DAM AND LAKE GEORGETOWN, TX	1,748	1,748
O C FISHER DAM AND LAKE, TX	893	893
PAT MAYSE LAKE, TX	976	976
PROCTOR LAKE, TX	1,659	2,259
PROJECT CONDITION SURVEYS, TX	15	15
RAY ROBERTS LAKE, TX	821	821
SABINE - NECHES WATERWAY, TX	14,272	14,272
SAM RAYBURN DAM AND RESERVOIR, TX	4,417	4,417
SCHEDULING RESERVOIR OPERATIONS, TX	243	243
SOMERVILLE LAKE, TX	2,555	2,555
STILLHOUSE HOLLOW DAM, TX	1,719	1,719
TEXAS WATER ALLOCATION ASSESSMENT, TX	1,500	1,500
TOWN BLUFF DAM, B A STEINHAGEN LAKE, TX	1,748	1,748
TRINITY RIVER AND TRIBUTARIES, TX	1,000	2,000
WACO LAKE, TX	2,412	3,912
WALLISVILLE LAKE, TX	1,320	1,320
WHITNEY LAKE, TX	4,227	4,800
WRIGHT PATMAN DAM AND LAKE, TX	2,611	2,611
UTAH		
INSPECTION OF COMPLETED WORKS, UT	75	75
SCHEDULING RESERVOIR OPERATIONS, UT	390	390
VERMONT		
BALL MOUNTAIN LAKE, VT	743	743
BURLINGTON HARBOR BREAKWATER, VT	250	2,000
NARROWS OF LAKE CHAMPLAIN, VT & NY	95	95
NORTH HARTLAND LAKE, VT	635	635
NORTH SPRINGFIELD LAKE, VT	700	700
TOWNSHEND LAKE, VT	764	764
UNION VILLAGE DAM, VT	506	651
VIRGINIA		
APPOMATTOX RIVER, VA	749	749
ATLANTIC INTRACOASTAL WATERWAY - ACC, VA	1,795	1,795
ATLANTIC INTRACOASTAL WATERWAY - DSC, VA	835	835
CHINCOTEAGUE BAY CHANNEL, VA	430	430
CHINCOTEAGUE INLET, VA	898	898
GATHRIGHT DAM AND LAKE MOOMAW, VA	1,535	1,535
HAMPTON RDS, NORFOLK & NEWPORT NEWS HBR, VA (DRIFT REM	1,095	1,095
INSPECTION OF COMPLETED WORKS, VA	59	59
JAMES RIVER CHANNEL, VA	3,680	3,680
JOHN H KERR LAKE, VA & NC	10,013	10,013
JOHN W FLANNAGAN DAM AND RESERVOIR, VA	1,387	1,387
LYNNHAVEN INLET, VA	916	916
NORFOLK HARBOR (PREVENTION OF OBSTRUCTIVE DEPOSITS), V	215	215

CORPS OF ENGINEERS - OPERATION AND MAINTENANCE

PROJECT TITLE	BUDGET REQUEST	CONFERENCE
NORFOLK HARBOR, VA	6,439	6,439
NORTH FORK OF POUND RIVER LAKE, VA	328	328
PAGAN RIVER, VA	145	145
PHILPOTT LAKE, VA	3,865	3,865
PROJECT CONDITION SURVEYS, VA	630	630
RUDEE INLET, VA	1,053	1,053
WATERWAY ON THE COAST OF VIRGINIA, VA	1,190	1,190
WINTER HARBOR, VA	---	1,000
YORK RIVER, VA	155	155
WASHINGTON		
CHIEF JOSEPH DAM, WA	848	848
COLUMBIA RIVER AT BAKER BAY, WA & OR	28	28
COLUMBIA RIVER BETWEEN CHINOOK AND SAND ISLAND, WA	36	36
EDIZ HOOK, WA	718	718
EVERETT HARBOR AND SNOHOMISH RIVER, WA	1,345	1,345
GRAYS HARBOR AND CHEHALIS RIVER, WA	11,275	15,075
HOWARD HANSON DAM, WA	1,739	1,739
ICE HARBOR LOCK AND DAM, WA	3,249	3,249
INSPECTION OF COMPLETED WORKS, WA	243	243
LAKE WASHINGTON SHIP CANAL, WA	7,200	7,200
LITTLE GOOSE LOCK AND DAM, WA	1,290	1,590
LOWER GRANITE LOCK AND DAM, WA	6,114	6,114
LOWER MONUMENTAL LOCK AND DAM, WA	2,230	2,230
MILL CREEK LAKE, WA	3,016	3,016
MT ST HELENS SEDIMENT CONTROL, WA	319	319
MUD MOUNTAIN DAM, WA	2,319	2,319
NEAH BAY, WA	30	30
PROJECT CONDITION SURVEYS, WA	253	253
PUGET SOUND AND TRIBUTARY WATERS, WA	938	938
QUILLAYUTE RIVER, WA	1,760	1,760
SCHEDULING RESERVOIR OPERATIONS, WA	427	427
SEATTLE HARBOR, EAST WATERWAY CHANNEL DEEPENING, WA	300	300
SEATTLE HARBOR, WA	620	620
STILLAGUAMISH RIVER, WA	240	240
SURVEILLANCE OF NORTHERN BOUNDARY WATERS, WA	58	58
SWINOMISH CHANNEL, WA	515	515
TACOMA, PUYALLUP RIVER, WA	123	123
THE DALLES LOCK AND DAM, WA & OR	2,961	3,261
WILLAPA RIVER AND HARBOR, WA	435	885
WEST VIRGINIA		
BEECH FORK LAKE, WV	1,074	1,074
BLUESTONE LAKE, WV	1,231	6,661
BURNSVILLE LAKE, WV	1,783	1,783
EAST LYNN LAKE, WV	1,687	1,687
ELKINS, WV	18	18
INSPECTION OF COMPLETED WORKS, WV	211	211
KANAWHA RIVER LOCKS AND DAMS, WV	6,799	6,799
OHIO RIVER LOCKS AND DAMS, WV, KY & OH	16,738	20,053
OHIO RIVER OPEN CHANNEL WORK, WV, KY & OH	2,407	2,407
R D BAILEY LAKE, WV	1,582	1,582
STONEWALL JACKSON LAKE, WV	888	888
SUMMERSVILLE LAKE, WV	1,458	1,458
SUTTON LAKE, WV	2,016	2,016
TYGART LAKE, WV	3,223	3,223
WHEELING CREEK, VA	---	2,000
WISCONSIN		
EAU GALLE RIVER LAKE, WI	736	736
FOX RIVER, WI	4,004	9,004
GREEN BAY HARBOR, WI	1,641	1,641

CORPS OF ENGINEERS - OPERATION AND MAINTENANCE

PROJECT TITLE	BUDGET REQUEST	CONFERENCE
INSPECTION OF COMPLETED WORKS, WI	17	17
KENOSHA HARBOR, WI	1,122	1,122
KEWAUNEE HARBOR, WI	210	210
LAFARGE LAKE, WI	56	56
MANITOWOC HARBOR, WI	249	249
MILWAUKEE HARBOR, WI	603	603
PENSAUKEE HARBOR, WI	488	488
PORT WING HARBOR, WI	260	260
PROJECT CONDITION SURVEYS, WI	8	8
SHEBOYGAN HARBOR, WI	46	46
STURGEON BAY HARBOR AND LAKE MICHIGAN SHIP CANAL, WI	2,625	2,625
SURVEILLANCE OF NORTHERN BOUNDARY WATERS, WI	42	42
TWO RIVERS HARBOR, WI	1,102	1,102
WYOMING		
JACKSON HOLE LEVEES, WY	1,198	1,198
MISCELLANEOUS		
AQUATIC NUISANCE CONTROL RESEARCH	700	700
COASTAL INLET RESEARCH PROGRAM	2,750	2,750
CULTURAL RESOURCES (NAGPRA/CURATION)	1,500	1,500
DREDGE WHEELER READY RESERVE	8,000	8,000
DREDGING DATA AND LOCK PERFORMANCE MONITORING SYSTEM	1,000	1,000
DREDGING OPERATIONS AND ENVIRONMENTAL RESEARCH (DOER)	7,000	7,000
DREDGING OPERATIONS TECHNICAL SUPPORT (DOTS) PROGRAM	1,500	1,500
EARTHQUAKE HAZARDS PROGRAM FOR BUILDINGS AND LIFELINES	500	500
GREAT LAKES SEDIMENT TRANSPORT MODELS	500	1,000
HARBOR MAINTENANCE FEE DATA COLLECTION	575	575
INLAND WATERWAY NAVIGATION CHARTS	---	4,000
MANAGEMENT TOOLS FOR O&M	500	500
MONITORING OF COASTAL NAVIGATION PROJECTS	1,700	1,700
NATIONAL DAM SAFETY PROGRAM	40	40
NATIONAL DAM SECURITY PROGRAM	25	25
NATIONAL EMERGENCY PREPAREDNESS PROGRAMS (NEPP)	4,000	4,000
NATIONAL LEWIS AND CLARK COMMEMORATION COORDINATOR	300	300
PERFORMANCE BASED BUDGETING SUPPORT PROGRAM	415	415
PROTECTING, CLEARING AND STRAIGHTENING CHANNELS(SEC 3)	50	50
RECREATION MANAGEMENT SUPPORT PROGRAM (RMSP)	1,500	1,500
REGIONAL SEDIMENT MANAGEMENT SEDIMENT DEMO PROGRAM	1,500	1,500
RELIABILITY MODELS PROGRAM FOR MAJOR REHABILITATION	675	675
REMOVAL OF SUNKEN VESSELS	500	500
WATER OPERATIONS TECHNICAL SUPPORT (WOTS) PROGRAM	700	700
WATERBORNE COMMERCE STATISTICS	4,000	4,000
REDUCTION FOR ANTICIPATED SAVINGS AND SLIPPAGE	-16,457	-73,662
TOTAL, OPERATION AND MAINTENANCE	1,745,000	1,874,803

TITLE II

DEPARTMENT OF THE INTERIOR

CENTRAL UTAH PROJECT

CENTRAL UTAH PROJECT COMPLETION ACCOUNT

The conference agreement appropriates $36,228,000 to carry out the provisions of the Central Utah Project Completion Act as proposed by the House and the Senate. The conferees are in agreement with the language in the Senate report regarding the Uinta Basin Replacement Project.

BUREAU OF RECLAMATION

The summary tables at the end of this title set forth the conference agreement with respect to the individual appropriations, programs, and activities of the Bureau of Reclamation. Additional items of conference agreement are discussed below.

WATER AND RELATED RESOURCES

The conference agreement appropriates $762,531,000 for Water and Related Resources instead of $691,160,000 as proposed by the House and $732,496,000 as proposed by the Senate.

The amount provided for the American River Division of the Central Valley Project includes $3,500,000 for the Bureau of Reclamation to reimburse the City of Folsom, California, for costs associated with the replacement of the Natoma Pipeline System, which is owned and operated by the Bureau of Reclamation and is the single water supply source for the City.

The amount provided for the East Side Division of the Central Valley Project includes $1,000,000 for water and sewer system upgrades and a visitor capacity study at New Melones Lake.

The amount provided for Miscellaneous Project Programs of the Central Valley Project includes an additional $1,000,000 for the Banta-Carbona Irrigation District's fish screen project.

The amount provided for the Sacramento River Division of the Central Valley Project includes $2,600,000 for the Glenn-Colusa Irrigation District Fish Screen Improvement Project; $750,000 for detailed, site-specific environmental assessment and permitting work associated with Sites Reservoir, including an evaluation of both the GCID Main Canal and the Tehama-Colusa Canal as a means to convey water to the proposed reservoir; and $300,000 for the Colusa Basin Drainage District's Integrated Resources Management Plan.

The conference agreement provides $2,500,000 for the Lake Tahoe Regional Wetlands Development program. In addition to the individual projects referenced in the House and Senate reports, the conferees agree that the funds may be used for projects throughout the Lake Tahoe basin in California and Nevada.

The conferees have provided an additional $11,200,000 for the Middle Rio Grande, New Mexico, project for the Bureau of Reclamation to continue the efforts of the Middle Rio Grande Collaborative Program Workgroup and its support activities to water users and species along the Middle Rio Grande. These efforts are intended to promote long and short term activities, with priority given to fulfillment of biological opinion requirements, to benefit species and water users pursuant to a Memorandum of Understanding signed by the relevant agencies and interested parties. The additional funds provided are for the following activities: $4,300,000 for modifications to river habitat; $2,180,000 for silvery minnow population management; $1,100,000 for monitoring of stream effects on the silvery minnow; $120,000 to combat non-native species; $640,000 for the Bureau of Reclamation's repayment obligations; $950,000 for water quality studies and improvements; $1,900,000 for the Bureau of Reclamation's purchase of water; and for associated program management. The conferees direct the Bureau of Reclamation to consult with the U.S. Fish and Wildlife Service on the silvery minnow monitoring and habitat efforts. In addition, the Bureau of Reclamation is directed to collaborate with universities in geographical proximity to the silvery minnow and possessing established experience and expertise in working with the silvery minnow.

The Colorado River Quantification Settlement Agreement is critically important to the long-term reliability of water supplies in Southern California and the entire Southwest. The conferees urge the Secretary of the Interior and parties to the Agreement to make every effort to bring about its timely and cost-effective implementation, including identifying the administrative and legislative actions necessary to meet the applicable deadlines.

The conferees have provided $15,000,000 for the Klamath Project in Oregon. Of that amount, $5,000,000 is to continue construction of the A-Canal.

The conference agreement includes $2,582,000 for the Drought Emergency Assistance program. Within that amount, $2,000,000 is for the Bureau of Reclamation to establish a Weather Damage Modification Program, including a regional weather modification research program involving the states of Oklahoma, Texas, Kansas, New Mexico, and Nevada. In addition, funds may be made available for leasing of water for specific drought related purposes from willing lessors in compliance with existing State laws and administered under State water priority allocation. Such leases may be entered into with an option to purchase provided that the purchase is approved by the State in which the purchase takes place and the purchase does not cause economic harm within the State in which the purchase is made.

Within the amount provided for the Wetlands Development Program, $500,000 is for the Bureau of Reclamation to undertake a project to restore natural vegetation along the lower Colorado River in the vicinity of Yuma, Arizona.

The conference agreement includes language which provides that $12,000,000 of the funds appropriated for Water and Related Resources shall be deposited in the San Gabriel Basin, California, Restoration Fund, of which $1,000,000 shall be for remediation in the Central Basin Municipal Water District.

The conference agreement includes language proposed by the Senate providing $1,500,000 to complete a feasibility study for the Sante Fe—Pojoaque Regional Water System in New Mexico.

The conference agreement deletes language proposed by the Senate making $4,000,000 available for the West River/Lyman Jones Rural Water System to provide rural, municipal, and industrial drinking water for Philip, South Dakota. Funds for this work have been provided within the amount available for the Mni Wiconi project.

The conference agreement deletes language proposed by the Senate regarding financial assistance for the preparation of drought contingency plans.

The conference agreement deletes language proposed by the Senate providing funds for the Hopi/Western Navajo Water Development Plan in Arizona, and the Savage Rapids Dam on the Rogue River in Oregon. Funds for these projects have been included within the amount appropriated for Water and Related Resources.

BUREAU OF RECLAMATION LOAN PROGRAM ACCOUNT

The conference agreement appropriates $7,495,000 for the Bureau of Reclamation Loan Program Account as proposed by the House and the Senate.

CENTRAL VALLEY PROJECT RESTORATION FUND

The conference agreement appropriates $55,039,000 for the Central Valley Project Restoration Fund as proposed by the House and the Senate.

Within the amount appropriated for the Central Valley Project Restoration Fund, the conferees expect the Bureau of Reclamation to use $9,000,000 for the Anadromous Fish Screen Program, including work on the American Basin Fish Screen and Habitat Improvement Project (Natomas Municipal Water Company) as well as the fish screen projects being undertaken by the Sutter Mutual Water Company and Reclamation District 108.

CALIFORNIA BAY-DELTA ECOSYSTEM RESTORATION

The conference agreement includes no funds for the California Bay-Delta Ecosystem Restoration program as proposed by the House and the Senate.

The conferees have provided an additional $30,000,000 within the various units of the Central Valley Project under the Water and Related Resources account for activities that support the goals of the California Bay-Delta Ecosystem Restoration Program, instead of $40,000,000 as proposed by the Senate. The conferees are aware that legislation to authorize this multi-year, multi-billion dollar program has been introduced in the House and the Senate, but has yet to be enacted. Absent such an authorization, it will be difficult for the Congress to continue its support for this program. Therefore, the conferees strongly urge the parties involved to work to enact an authorization for the program so additional funding can be considered in the fiscal year 2003 appropriations cycle. The additional funds provided in support of the program are to be used as follows:

Delta Division: $7,500,000 for oversight activities; $1,000,000 for planning activities associated with enlarging Los Vaqueros Reservoir; $200,000 for the DMC Intertie with the California Aqueduct; $150,000 to evaluate operations alternatives for the Delta Cross Channel Reoperation; and $3,000,000 to construct the Tracy Test Fish Facility.

Friant Division: $2,500,000 to continue developing a plan of study for an investigation of storage in the Upper San Joaquin Watershed.

Miscellaneous Project Programs: $12,500,000 for the Environmental Water Account; $200,000 for water use efficiency pilot studies; and $200,000 to conduct a NEPA analysis and operate the clearinghouse for the water transfer program.

Sacramento River Division: $750,000 to continue planning activities related to Sites Reservoir.

San Felipe Division: $100,000 to provide technical assistance to the Santa Clara Valley Water District in conducting operational appraisal studies.

Shasta Division: $1,900,000 to continue evaluating the potential impacts of the proposed Shasta Dam raise.

POLICY AND ADMINISTRATION

The conference agreement appropriates $52,968,000 for Policy and Administration as proposed by the House and the Senate.

GENERAL PROVISIONS

DEPARTMENT OF THE INTERIOR

Section 201. The conference agreement includes language authorizing the Bureau of Reclamation to continue its program of providing grants to institutions of higher learning to support the training of Native Americans to manage natural resources.

Section 202. The conference agreement includes language amending the authorization

for the San Gabriel Basin Restoration project.

Section 203. The conference agreement includes language proposed by the Senate regarding refunds of fees assessed for failure to file certain certification or reporting forms under the Reclamation Reform Act.

Section 204. The conference agreement includes language proposed by the Senate regarding the Lower Colorado River Basin Development Fund.

Section 205. The conference agreement includes language proposed by the House under Title V, General Provisions regarding the San Luis Unit and the Kesterson Reservoir in California. The Senate had proposed similar language under General Provisions, Department of the Interior.

Section 206. The conference agreement includes language proposed by the Senate regarding the valve rehabilitation project at the Arrowrock Dam on the Arrowrock Division of the Boise project in Idaho.

Section 207. The conference agreement includes language proposed by the Senate establishing requirements for the purchase or lease of water from the Middle Rio Grande or Carlsbad projects in New Mexico.

Section 208. The conference agreement includes language proposed by the House regarding the issuance of permits for commercial rafting within the Auburn State Recreation Area, California.

Section 209. The conference agreement amends House language regarding the make-up of water shortages caused by the operation of Folsom Dam and Reservoir in California for flood control.

Provisions not included in the conference agreement.—The conference agreement does not include language proposed by the Senate regarding the use of funds provided for Drought Emergency Assistance.

BUREAU OF RECLAMATION

PROJECT TITLE	BUDGET REQUEST RESOURCES MANAGEMENT	BUDGET REQUEST FACILITIES OM&R	CONFERENCE RESOURCES MANAGEMENT	CONFERENCE FACILITIES OM&R
WATER AND RELATED RESOURCES				
ARIZONA				
AK CHIN WATER RIGHTS SETTLEMENT ACT PROJECT	---	6,282	---	6,282
CENTRAL ARIZONA PROJECT, COLORADO RIVER BASIN	31,392	50	31,392	50
COLORADO RIVER BASIN SALINITY CONTROL PROJECT, TITLE I	725	9,355	725	9,355
COLORADO RIVER FRONT WORK AND LEVEE SYSTEM	3,103	---	3,603	---
HOPI/WESTERN NAVAJO WATER DEVELOPMENT PLAN	---	---	1,000	---
NORTHERN ARIZONA INVESTIGATIONS PROGRAM	575	---	575	---
PHOENIX METROPOLITAN WATER REUSE PROJECT	250	---	250	---
SOUTHERN ARIZONA WATER RIGHTS SETTLEMENT ACT PROJECT	4,055	---	4,055	---
SOUTH/CENTRAL ARIZONA INVESTIGATIONS PROGRAM	685	---	685	---
TRES RIOS WETLANDS DEMONSTRATION	200	---	500	---
TUCSON AREA WATER RECLAMATION AND REUSE STUDY	100	---	100	---
YUMA AREA PROJECTS	1,658	18,037	1,658	18,037
CALIFORNIA				
CACHUMA PROJECT	640	426	640	426
CALIFORNIA INVESTIGATIONS PROGRAM	1,000	---	1,000	---
CALLEGUAS MUNICIPAL WATER DISTRICT RECYCLING PLANT	1,800	---	1,800	---
CENTRAL VALLEY PROJECT:				
AMERICAN RIVER DIVISION	2,387	10,996	5,887	10,996
AUBURN-FOLSOM SOUTH UNIT	1,947	---	1,947	---
DELTA DIVISION	12,182	5,053	24,032	5,053
EAST SIDE DIVISION	604	3,630	604	4,630
FRIANT DIVISION	2,103	2,923	4,603	2,923
MISCELLANEOUS PROJECT PROGRAMS	12,637	879	26,537	879
REPLACEMENTS, ADDITIONS, AND EXTRAORDINARY MAINT	---	11,000	---	11,000

SACRAMENTO RIVER DIVISION	4,071	1,682	7,121	1,682
SAN FELIPE DIVISION	447	---	547	---
SAN JOAQUIN DIVISION	1,280	---	1,280	---
SHASTA DIVISION	2,456	7,025	4,356	7,025
TRINITY RIVER DIVISION	7,751	5,380	7,751	5,380
WATER AND POWER OPERATIONS	900	7,322	900	7,322
WEST SAN JOAQUIN DIVISION, SAN LUIS UNIT	4,735	6,417	4,735	6,417
YIELD FEASIBILITY INVESTIGATION	1,500	---	1,500	---
LAKE TAHOE REGIONAL WETLANDS DEVELOPMENT	200	---	2,500	---
LONG BEACH AREA WATER RECLAMATION AND REUSE PROJECT	1,800	---	1,800	---
LONG BEACH DESALINATION PROJECT	---	---	1,000	---
LOS ANGELES AREA WATER RECLAMATION AND REUSE PROJECT	---	---	740	---
MISSION BASIN BRACKISH GROUNDWATER DESALTING DEMO	---	---	400	---
NORTH SAN DIEGO COUNTY AREA WATER RECYCLING PROJECT	1,800	---	2,500	---
NORTH SONOMA COUNTY WATER REUSE STUDY	---	---	500	---
GROUNDWATER REPLENISHMENT SYSTEM	1,800	---	2,500	---
ORLAND PROJECT	---	410	---	410
SALTON SEA RESEARCH PROJECT	800	---	4,500	---
SACRAMENTO RIVER DIVERSION STUDY	---	---	4,000	---
SAN DIEGO AREA WATER RECYCLING PROGRAM	6,000	---	6,000	---
SAN GABRIEL BASIN PROJECT	1,800	---	1,800	---
SAN GABRIEL BASIN RESTORATION	---	---	12,000	---
SAN JOSE WATER RECLAMATION AND REUSE PROGRAM	2,500	---	4,000	---
SOLANO PROJECT	1,210	1,149	1,210	1,149
SOUTHERN CALIFORNIA INVESTIGATIONS PROGRAM	875	---	875	---
COLORADO				
ANIMAS-LA PLATA PROJECT, CRSP SECTION 5 & 8	12,000	---	16,000	---
COLLBRAN PROJECT	127	1,202	127	1,202
COLORADO-BIG THOMPSON PROJECT	49	7,913	49	7,913
COLORADO-BIG THOMPSON PROJECT - HORSETOOTH DAM	---	26,000	---	26,000
FRUITGROWERS DAM PROJECT	74	17	74	17
FRYINGPAN-ARKANSAS PROJECT	9	4,472	9	4,472
GRAND VALLEY UNIT, CRBSCP, TITLE II	427	573	427	573
LEADVILLE/ARKANSAS RIVER RECOVERY PROJECT	421	1,787	421	1,787
LOWER GUNNISON BASIN UNIT, CRBSCP, TITLE II	---	332	---	332
MANCOS PROJECT	49	23	49	23

BUREAU OF RECLAMATION

PROJECT TITLE	BUDGET REQUEST RESOURCES MANAGEMENT	BUDGET REQUEST FACILITIES OM&R	CONFERENCE RESOURCES MANAGEMENT	CONFERENCE FACILITIES OM&R
PARADOX VALLEY UNIT, CRBSCP, TITLE II	---	2,119	---	2,119
PINE RIVER PROJECT	88	62	88	62
SAN LUIS VALLEY PROJECT	326	4,021	326	4,021
UNCOMPAHGRE PROJECT	368	27	368	27
HAWAII				
HAWAII WATER RESOURCES STUDY, HI	---	---	300	---
IDAHO				
BOISE AREA PROJECTS	1,526	6,071	1,526	6,071
COLUMBIA AND SNAKE RIVER SALMON RECOVERY PROJECT	11,000	---	11,000	---
DRAIN WATER MANAGEMENT STUDY, BOISE PROJECT	165	---	165	---
IDAHO INVESTIGATIONS PROGRAM	509	---	509	---
MINIDOKA AREA PROJECTS	1,968	3,272	1,968	3,272
MINIDOKA NORTHSIDE DRAIN WATER MANAGEMENT PROGRAM	262	---	262	---
KANSAS				
KANSAS INVESTIGATIONS PROGRAM	594	---	594	---
WICHITA PROJECT	---	269	---	269
MONTANA				
FORT PECK DRY PRAIRIE RURAL WATER SYSTEM	---	---	4,000	---
HUNGRY HORSE PROJECT	---	294	---	294
MILK RIVER PROJECT	440	541	440	541
MONTANA INVESTIGATIONS	321	---	321	---
ROCKY BOYS INDIAN WATER RIGHTS SETTLEMENT	8,000	---	8,000	---
ROCKY BOYS/NORTH CENTRAL REGIONAL STUDY	---	---	350	---

NEBRASKA				
MIRAGE FLATS PROJECT	23	32	23	32
NEVADA				
HALFWAY WASH, NV	---	---	120	---
LAHONTAN BASIN PROJECT	6,347	2,089	6,347	2,089
LAKE MEAD/LAS VEGAS WASH PROGRAM	1,000	---	1,400	---
NEWLANDS PROJECT WATER RIGHTS FUND	---	---	2,000	---
SOUTHERN NEVADA WATER RECYCLING PROJECT	---	---	1,500	---
STEAMBOAT CREEK RENO, NV	---	---	100	---
WALKER RIVER BASIN PROJECT	---	---	200	---
NEW MEXICO				
ALBUQUERQUE METRO AREA WATER RECLAMATION AND REUSE	---	---	7,000	---
CARLSBAD PROJECT	1,689	742	1,689	742
EASTERN NEW MEXICO WATER SUPPLY	---	---	250	---
MIDDLE RIO GRANDE PROJECT	2,684	8,967	13,884	8,967
NAVAJO GALLUP WATER SUPPLY	---	---	500	---
PECOS RIVER BASIN WATER SALVAGE PROJECT	---	50	---	175
RIO GRANDE PROJECT	1,001	2,591	1,001	2,591
RIO JEMEZ (ABOUSELMAN) FEASIBILITY STUDY	---	---	1,200	---
SAN JUAN RIVER BASIN INVESTIGATIONS PROGRAM	214	---	214	---
SANTA FE - POJOAQUE REGIONAL WATER SYSTEM	---	---	1,500	---
SOUTHERN NEW MEXICO/WEST TEXAS INVESTIGATIONS PROGRAM	200	---	200	---
TUCUMCARI PROJECT	26	---	26	---
UPPER RIO GRANDE BASIN INVESTIGATIONS PROGRAM	217	---	217	---
NORTH DAKOTA				
DAKOTAS INVESTIGATIONS PROGRAM	354	---	354	---
DAKOTAS TRIBES INVESTIGATIONS PROGRAM	250	---	250	---
GARRISON DIVERSION UNIT	21,011	4,228	22,500	4,228

BUREAU OF RECLAMATION

PROJECT TITLE	BUDGET REQUEST RESOURCES MANAGEMENT	BUDGET REQUEST FACILITIES OM&R	CONFERENCE RESOURCES MANAGEMENT	CONFERENCE FACILITIES OM&R
OKLAHOMA				
ARBUCKLE PROJECT	---	186	---	186
MCGEE CREEK PROJECT	---	569	---	569
MOUNTAIN PARK PROJECT	---	276	---	276
NORMAN PROJECT	---	183	---	183
OKLAHOMA INVESTIGATIONS PROGRAM	263	---	263	---
WASHITA BASIN PROJECT	---	731	---	731
W.C. AUSTIN PROJECT	---	280	---	280
OREGON				
BEND FEED CANAL PIPELINE PROJECT	---	---	300	---
CROOKED RIVER PROJECT	278	418	278	418
DESCHUTES ECOSYSTEM RESTORATION PROJECT	500	---	750	---
DESCHUTES PROJECT	360	138	360	138
DESCHUTES PROJECT-WICKUP DAM	---	12,000	---	12,000
EASTERN OREGON PROJECTS	340	267	340	267
GRANDE RONDE WATER OPTIMIZATION STUDY	150	---	150	---
GRANTS PASS PROJECT	---	---	500	---
KLAMATH PROJECT	12,277	483	15,000	483
OREGON INVESTIGATIONS PROGRAM	457	---	457	---
ROGUE RIVER BASIN PROJECT, TALENT DIVISION	317	162	317	162
TUALATIN PROJECT	149	107	149	107
TUALATIN VALLEY WATER SUPPLY FEASIBILITY STUDY	100	---	100	---
UMATILLA BASIN PROJECT, PHASE III STUDY	50	---	50	---
UMATILLA PROJECT	409	2,227	409	2,227
SOUTH DAKOTA				
CROW CREEK TRIBE RESERVATION WIDE M & I WATER SUPPLY	---	---	100	---

LEWIS AND CLARK RURAL WATER SYSTEM	---	---	2,000	--
MID-DAKOTA RURAL WATER PROJECT	10,000	40	15,000	40
MNI WICONI PROJECT	20,511	7,489	30,000	7,489
PERKINS COUNTY RURAL WATER DISTRICT	---	---	3,400	---
RAPID VALLEY PROJECT, DEERFIELD DAM	---	30	---	30
TEXAS				
BALMORHEA PROJECT	30	---	30	---
CANADIAN RIVER PROJECT	---	104	---	104
EL PASO WATER RECLAMATION AND REUSE	---	---	1,000	---
NAVAJO GALLUP WATER SUPPLY PROJECT	300	---	---	---
NUECES RIVER	---	421	---	421
PALMETTO BEND PROJECT	---	688	---	688
SAN ANGELO PROJECT	---	335	---	335
TEXAS INVESTIGATIONS PROGRAM	197	---	197	---
UTAH				
HYRUM PROJECT	310	8	310	8
MOON LAKE PROJECT	39	6	39	6
NAVAJO SANDSTONE AQUIFER RECHARGE STUDY	250	---	250	---
NEWTON PROJECT	46	7	46	7
NORTHERN UTAH INVESTIGATIONS PROGRAM	305	---	305	---
OGDEN RIVER PROJECT	111	51	111	51
PROVO RIVER PROJECT	465	363	465	363
SCOFIELD PROJECT	56	25	56	25
SOUTHERN UTAH INVESTIGATIONS PROGRAM	300	---	300	---
STRAWBERRY VALLEY PROJECT	82	7	82	7
WEBER BASIN PROJECT	1,704	290	1,704	290
WEBER RIVER PROJECT	356	32	356	32
WEST JORDAN WATER RECLAMATION & REUSE	---	---	1,500	---
WASHINGTON				
COLUMBIA BASIN PROJECT	4,044	9,119	4,044	9,119
WASHINGTON INVESTIGATIONS PROGRAM	425	---	425	---

BUREAU OF RECLAMATION

PROJECT TITLE	BUDGET REQUEST RESOURCES MANAGEMENT	BUDGET REQUEST FACILITIES OM&R	CONFERENCE RESOURCES MANAGEMENT	CONFERENCE FACILITIES OM&R
YAKIMA PROJECT	516	6,753	516	6,753
YAKIMA RIVER BASIN WATER ENHANCEMENT PROJECT	10,600	---	11,100	---
WYOMING				
KENDRICK PROJECT	8	4,654	8	4,654
NORTH PLATTE PROJECT	40	1,412	40	1,412
SHOSHONE PROJECT	54	925	54	925
WYOMING INVESTIGATIONS PROGRAM	55	---	55	---
VARIOUS				
COLORADO RIVER BASIN SALINITY CONTROL, TITLE II:				
PROGRAM & COLORADO RIVER WATER QUALITY IMPROVEMENT	10,929	---	10,929	---
COLORADO RIVER STORAGE PROJECT, SECTION 5	5,349	1,821	5,349	1,821
COLORADO RIVER STORAGE PROJECT, SECTION 8, R&F&WL	4,677	61	4,677	61
COLORADO RIVER WATER QUALITY IMPROVEMENT PROGRAM	150	---	150	---
DAM SAFETY PROGRAM:				
DEPARTMENT DAM SAFETY PROGRAM	---	1,700	---	1,700
INITIATE SOD CORRECTIVE ACTION	---	16,400	---	16,400
SAFETY EVALUATION OF EXISTING DAMS	---	17,900	---	17,900
SAFETY OF DAMS CORRECTIVE ACTION STUDIES	---	624	---	624
DEPARTMENTAL IRRIGATION DRAINAGE PROGRAM	2,620	---	2,000	---
DROUGHT EMERGENCY ASSISTANCE	582	---	2,582	---
EFFICIENCY INCENTIVES PROGRAM	3,738	---	3,000	---
EMERGENCY PLANNING & DISASTER RESPONSE PROGRAM	---	330	---	330
ENDANGERED SPECIES RECOVERY IMPLEMENTATION	13,522	---	13,522	---
ENVIRONMENTAL PROGRAM ADMINISTRATION	1,882	---	1,500	---
ENVIRONMENTAL & INTERAGENCY COORDINATION ACTIVITIES	1,661	---	1,200	---
EXAMINATION OF EXISTING STRUCTURES	32	5,110	32	5,110
FEDERAL BUILDING SEISMIC SAFETY PROGRAM	---	950	---	950

GENERAL PLANNING STUDIES	1,861	---	1,700	---
LAND RESOURCES MANAGEMENT PROGRAM	7,690	---	6,500	---
LEWIS AND CLARK RURAL WATER SYSTEM	2,000	---	---	---
LOWER COLORADO RIVER OPERATIONS PROGRAM	13,103	---	13,103	---
MISCELLANEOUS FLOOD CONTROL OPERATIONS	---	509	---	509
NATIONAL FISH & WILDLIFE FOUNDATION	1,000	---	1,000	---
NATIVE AMERICAN AFFAIRS PROGRAM	8,400	---	8,400	---
NEGOTIATION & ADMINISTRATION OF WATER MARKETING	1,709	---	1,300	---
OPERATION & MAINTENANCE PROGRAM MANAGEMENT	180	950	180	950
PICK-SLOAN MISSOURI BASIN - OTHER PROJECTS	3,183	29,747	3,183	29,747
POWER PROGRAM SERVICES	590	345	590	345
PUBLIC ACCESS AND SAFETY PROGRAM	463	---	463	---
RECLAMATION LAW ADMINISTRATION	5,130	---	4,800	---
RECLAMATION RECREATION MANAGEMENT - TITLE XXVIII	1,922	---	1,922	---
RECREATION & FISH & WILDLIFE PROGRAM ADMINISTRATION	2,694	---	2,300	---
SCIENCE AND TECHNOLOGY:				
ADVANCED WATER TREATMENT DESALINATION PROGRAM	1,150	---	1,150	---
APPLIED SCIENCE/TECHNOLOGY AND DEVELOPMENT	3,290	---	3,290	---
DESALINATION RESEARCH AND DEVELOPMENT PROGRAM	300	---	4,000	---
HYDROELECTRIC INFRASTRUCTURE PROTECTION/ENHANCEMEN	660	---	660	---
TECHNOLOGY ADVANCEMENT	300	---	300	---
WATERSHED/RIVER SYSTEMS MANAGEMENT PROGRAM	940	---	940	---
SITE SECURITY	---	1,755	---	1,755
SOIL AND MOISTURE CONSERVATION	314	---	314	---
TECHNICAL ASSISTANCE TO STATES	1,894	---	1,500	---
TITLE XVI, WATER RECLAMATION AND REUSE PROGRAM	1,650	---	1,650	---
UNITED STATES/MEXICO BORDER ISSUES - TECHNICAL SUPPORT	70	---	70	---
WATER MANAGEMENT & CONSERVATION PROGRAM	7,507	---	7,507	---
WETLANDS DEVELOPMENT	3,836	---	3,836	---
UNDISTRIBUTED REDUCTION BASED ON ANTICIPATED DELAYS	-33,840	---	-47,763	---
TOTAL, WATER AND RELATED RESOURCES	343,299	304,698	456,708	305,823

BUREAU OF RECLAMATION

PROJECT TITLE	BUDGET REQUEST RESOURCES MANAGEMENT	BUDGET REQUEST FACILITIES OM&R	CONFERENCE RESOURCES MANAGEMENT	CONFERENCE FACILITIES OM&R
LOAN PROGRAM				
CALIFORNIA				
CASTROVILLE IRRIGATION WATER SUPPLY PROJECT.....	1,239	---	1,239	---
SALINAS VALLEY WATER RECLAMATION.....	401	---	401	---
SAN SEVAINE CREEK WATER PROJECT.....	5,575	---	5,575	---
VARIOUS				
LOAN ADMINISTRATION.....	280	---	280	---
TOTAL, LOAN PROGRAM.....	7,495	---	7,495	---

TITLE III

DEPARTMENT OF ENERGY

The summary tables at the end of this title set forth the conference agreement with respect to the individual appropriations, programs, and activities of the Department of Energy. Additional items of conference agreement are discussed below.

PROJECT MANAGEMENT

The conferees strongly support efforts of the Office of Engineering and Construction Management (OECM) to improve the Department's construction and project management. The Department has announced plans to merge the Office of the Chief Financial Officer (the current location of OECM) with the Office of Management and Administration to form a new Office of Management, Budget and Evaluation. The Committees on Appropriations have been assured that this change will broaden the duties, scope, responsibilities, and authorities of OECM. The conferees understand that the Department intends to enable OECM to more effectively bring needed culture changes to its project management community.

Congress supported creation of OECM as a final attempt to correct the Department's weaknesses in project management. The conferees expect OECM to be fully funded to support enhanced systems development and deployment, training, process improvements, and accountability. The conferees acknowledge that the expanded mission of this office encompasses project closure, facilities, and infrastructure management activities and urge the Secretary to give priority to retaining within the Department the technical skills needed for federal project and real property management. The conferees recommend that, at each site, the Secretary designate a management office to coordinate project and real property management improvements with this headquarters office.

The conferees also expect the National Research Council to continue to monitor the Department's efforts in project management.

FACILITIES AND INFRASTRUCTURE

The conferees have provided funding in several programs for facilities and infrastructure improvement projects to allow the Department to begin to correct its worst deferred maintenance deficiencies and eliminate excess facilities. The conferees make this initial investment in critical infrastructure so the Department can begin to institute life-cycle asset management improvement processes throughout its complex and expect that at least 25 percent of the funds provided will be spent to eliminate excess facilities.

The conferees direct each site (not slated for closure) to prepare a ten-year site plan prescribing space utilization activities that stabilize, then reduce its baseline for maintenance costs by: (1) consolidating operations where practicable; (2) eliminating excess buildings; (3) employing cost efficiencies; and (4) addressing mission-critical requirements through an appropriate mix of renovations and new construction.

Beginning in fiscal year 2003, to ensure sustained improvement in project and real property management, the conferees direct the Department to present an integrated facilities and infrastructure budget request. This budget should identify program maintenance projects for buildings and facilities by site. To the extent that indirect funding supports maintenance, the budget should also report, by site, expenditures in the previous year and estimate the percentage to be applied in fiscal year 2003. The conferees expect the Department to retain up-to-date corporate-level management information on the condition of its buildings and facilities and annual expenditures on maintenance for its complex.

For new construction projects requested in fiscal year 2003, the conferees expect the budget to show the square footage of each new project, and request funding for elimination by transfer, sale, or demolition of excess buildings and facilities of equivalent size. This excess reduction to new construction formula does not apply to environmental management closure sites. The conferees expect the fiscal year 2003 budget to contain funds to eliminate excess facilities based on the greatest impact on long-term costs and risks. The Department should apply this requirement to each site. Only if deemed impracticable due to critical mission requirements, through a case-by-case waiver approved by the Secretary through the Chief Financial Officer, should the requirement be met through the reduction of excess facilities at another site. The Department will collect information from all sites on the square footage of excess property sold, transferred, or demolished each year and submit a report 45 days after the President's budget is presented to Congress.

The conferees expect the Chief Financial Officer to issue such directives as are necessary to ensure that: each site prepares a ten-year site plan; annual property reports reflect accurately the Department's entire real property inventory, including the current status of maintenance and disposition of excess property at each site; program budgets request funding for elimination of excess facilities by square footage proportional to new facilities requested; and project and real property offices in the field adhere to corporate guidelines for managing new projects, closeouts, and maintenance of all facilities.

DEPARTMENT OF ENERGY STAFFING

The conferees share the concerns raised by the House that the new National Nuclear Security Administration (NNSA) structure may have had the unintended consequence of unnecessarily increasing the Department's overall personnel costs, particularly at the headquarters, from a Department-wide perspective. The conferees further agree that the Secretary of Energy should submit a report to the Appropriations and Armed Services Committees of Congress concerning staffing increases arising from the creation of NNSA, as the House intended, as well as the ''before and after'' staffing levels of each office and activity affected by the reorganization. However, the report should also address the broader administrative support staffing concerns below and potential staffing reductions to NNSA or other DOE offices if administrative support functions could be staffed more efficiently. The Secretary shall submit the report by January 31, 2002.

With the new NNSA organization now in place, this affords a good opportunity for the Secretary of Energy and the Congress to take a fresh look at the management, effectiveness, and cost-effectiveness of the Department of Energy's administrative support functions at both the headquarters and field levels. Support functions include personnel, finance, contracting, facilities management, vehicle management, logistics, information management, public affairs, and congressional affairs.

The conferees note that other organizations in the Department of Energy, such as the Inspector General and Naval Reactors, independently perform some of their own administrative support functions such as congressional affairs. The Inspector General of the Department of Energy has interpreted its charter under the Inspector Generals Act, particularly in regards to its perceived need to conduct its own congressional affairs, differently than any of the military services which, for example, use ''corporate'' congressional affairs offices to interface between the Congress and all sub-elements of headquarters organizations including agency inspector generals.

Fragmentation of administrative support functions may also dilute the ability of the Secretary of Energy to manage the Department to meet Departmental strategic goals such as improved financial and contract management. To the extent that the Department invests in unnecessary administrative support costs in a fixed or limited growth budget environment, resources are diverted from higher-priority mission areas.

In submitting the plan on the staffing effects of the NNSA legislation and subsequent implementation, the conferees encourage the Secretary to focus on ensuring that the Department of Energy has the optimal administrative support structure to maximize mission effectiveness and minimize administrative support costs. As stated in the House report, the conferees encourage the Secretary to submit legislative proposals where appropriate to meet this objective.

ALTERNATIVE FINANCING APPROACHES

The Secretary of Energy is directed to conduct a study of alternative financing approaches, to include third-party-type methods, for infrastructure and facility construction projects across the Department. This study is due to the House and Senate Committees on Appropriations by March 30, 2002.

EXTERNAL REGULATION

The Department is directed to prepare an implementation plan for the transition to external regulation at the Department's non-defense science laboratories. For the purpose of preparing this plan, the Department should assume that the Nuclear Regulatory Commission (NRC) would take over regulatory responsibility for nuclear safety at the Department's non-defense science laboratories, and the Occupational Safety and Health Administration (OSHA) would take over regulatory responsibility for worker safety at these laboratories. The conferees expect the Department to coordinate with NRC and OSHA, and to build upon the previous external regulation pilot programs, in developing this plan. For planning purposes, external regulation would apply to the five multiprogram and five single-purpose laboratories under the Office of Science, and the Department should assume external regulation to become effective beginning in fiscal year 2004. The implementation plan for external regulation is not to address nuclear weapons facilities, environmental remediation sites, or other Department laboratories, facilities, and sites. The implementation plan should address all details necessary to implement external regulation, including an estimate of the additional resources needed by the NRC and OSHA, corresponding reductions in funding and staffing at the Department, specific facilities or classes of facilities for which external regulation cannot be implemented in a timely manner, necessary changes to existing management and operating contracts, and changes in statutory language necessary to effect the transition to external regulation. This plan is due to the House and Senate Committees on Appropriations by May 31, 2002. Note that this provision only requires the Department to produce an implementation plan for external regulation for a limited set of DOE facilities; the actual transition to external regulation for those facilities will require additional legislative direction.

REPROGRAMMINGS

The conference agreement does not provide the Department of Energy with any internal

reprogramming flexibility in fiscal year 2002 unless specifically identified by the House, Senate, or conference agreement. Any reallocation of new or prior year budget authority or prior year deobligations must be submitted to the House and Senate Committees on Appropriations in advance, in writing, and may not be implemented prior to approval by the Committees.

LABORATORY DIRECTED RESEARCH AND DEVELOPMENT

The conference agreement does not include bill language proposed by either the House or the Senate regarding the Laboratory Directed Research and Development (LDRD) program. The conferees recognize the benefits of LDRD and expect LDRD activities to continue at previously authorized levels. However, when accepting funds from another federal agency that will be used for LDRD activities, the Department of Energy shall notify that agency in writing how much will be used for LDRD activities. In addition, the conferees direct the Secretary of Energy to include in the annual report to Congress on all LDRD activities an affirmation that all LDRD activities derived from funds of other agencies have been conducted in a manner that supports science and technology development that benefits the programs of the sponsoring agencies and is consistent with the Appropriations Acts that provided funds to those agencies.

ADDITIONAL DEPARTMENT OF ENERGY REQUIREMENTS

The conferees agree with the House report language and support the reporting requirements for basic research for energy technologies, independent centers, augmenting Federal staff, budget justification requirements, sale of land, and reprogramming guidelines.

REDUCTIONS NECESSARY TO ACCOMMODATE SPECIFIC PROGRAM DIRECTIONS

The Department is directed to provide a report to the House and Senate Committees on Appropriations by January 15, 2002, on the actual application of any general reductions of funding or use of prior year balances contained in the conference agreement. In general, such reductions should not be applied disproportionately against any program, project, or activity. However, the conferees are aware there may be instances where proportional reductions would adversely impact critical programs and other allocations may be necessary.

ENERGY SUPPLY

The conference agreement provides $666,726,000 for Energy Supply instead of $639,317,000 as proposed by the House and $736,139,000 as proposed by the Senate. The conference agreement does not include bill language proposed by the Senate earmarking funds for certain purposes.

RENEWABLE ENERGY RESOURCES

The conference agreement provides $396,000,000 instead of $376,817,000 as proposed by the House and $435,600,000 as proposed by the Senate for renewable energy resources. The conference agreement does not include language specifying funding allocations as contained in the separate House and Senate reports.

Biomass/biofuels.—The conference agreement includes $93,000,000 for biomass/biofuels. The conferees have combined the subprograms for power systems and transportation into a single program for biomass/biofuels and no longer provide separate allocations for power systems and transportation.

The conference agreement includes $2,500,000 to support a cost-shared Agricultural Waste Methane Power Generation Facility in California; $2,000,000 to support a cost-shared agricultural mixed waste biorefinery in Alabama using the thermal depolymerization technology; $1,500,000 to support the Black Belt Bioenergy Demonstration Project in Alabama; $1,000,000 for microcombustion research at Oak Ridge National Laboratory in collaboration with the technology's inventor; $2,000,000 for the Biorenewable Resource Consortium; $3,000,000 for the Iroquois Bio-Energy Cooperative project in Indiana; $3,000,000 for the Gridley Rice Straw project in California; and $1,000,000 for the switchgrass project of the Great Plains Institute for Sustainable Development in Minnesota.

The conference agreement includes $4,000,000 for the Iowa switchgrass project; $1,000,000 for the Consortium for Plant Biotechnology Research; $3,000,000 for the McNeil biomass plant in Burlington, Vermont, and $750,000 for the methane energy and agriculture development project in Tillamook Bay, Oregon. The conference agreement includes $1,000,000 for the continuation and expansion of the ongoing demonstration of the oxygenated diesel fuel particulate matter emission reduction project in Clark County, Nevada, the cities of Riverside, Compton, Linwood, and Pasadena, California, and Ventura County, California; $2,000,000 for the Michigan Biotechnology Initiative; $3,000,000 for the Prime LLC of South Dakota integrated ethanol complex, including an ethanol unit, waste treatment system, and enclosed cattle feed lot; $300,000 for the Biomass Energy Resource Center project in Vermont; $2,000,000 to continue the Sealaska ethanol project (subject to a non-Federal match) at the fiscal year 2001 level; $3,000,000 for the Biomass Gasification Research Center in Birmingham, Alabama; and $3,000,000 for the Winona, Mississippi, biomass project, where the current investment in the plant shall count as the required demonstration project cost share. The conferees direct the Department to continue funding for the Energy and Environment Research Center at last year's level. The conferees encourage the Department to continue the integrated approach to bioenergy activities and recommend the use of up to $18,000,000 within available funds for the Integrated Biomass Research and Development Program. The conferees urge the Department to form strong public-private-university partnerships in this program.

Geothermal.—The conference agreement includes $29,000,000 for geothermal activities. The conference agreement includes sufficient funding to maintain university research on geothermal technologies at the fiscal year 2001 funding level of $2,600,000. The conference agreement also includes $2,000,000 in final funding for the Lake County Basin geothermal project in Lake County, California; $2,000,000 for the Santa Rosa geysers project in California; $2,500,000 for Geopowering the West; and $1,000,000 for the UNR Geothermal Energy Center demonstration project.

Hydrogen.—The conference agreement includes $31,000,000 for hydrogen activities. The conference agreement includes $1,000,000 for the Fuel Cell Technology Assessment and Demonstration at the University of Alabama at Birmingham; $350,000 for the Big Sky Economic Development Authority demonstration fuel cell technologies; $500,000 for the gasification of Iowa switchgrass and its use in fuel cells; $1,500,000 for the ITM Syngas project; $1,500,000 for the fuel cell installation project at Gallatin County, Montana; and $1,000,000 for continued demonstration of the hydrogen locomotive and front-end loader projects.

Hydropower.—The conference agreement includes $5,300,000 for hydropower. The conference agreement includes $400,000 to plan a hydroelectric power generation facility at Gustavus, Alaska, subject to a local match for construction; and $1,900,000 for the completion of the Power Creek hydroelectric project in Alaska. No additional funds will be made available for this project.

Solar Energy.—The conference agreement includes $95,000,000 for solar energy programs. The conferees have combined the concentrating solar power, photovoltaic energy systems, and solar building technology subprograms into a single program for solar energy. The conferees urge the Department to fund these subprograms in roughly the same proportions as they were funded in fiscal year 2001.

The conference agreement includes $8,700,000 for basic research/university programs on photovoltaics; $18,500,000 to continue the thin film partnership program; $3,000,000 for continuation of the Million Solar Roofs program; $2,000,000 for the Southeast and Southwest photovoltaic experiment stations; and $3,000,000 for the Navajo electrification project. The Department is directed to continue with deployment of the 1.0 MW dish engine and to continue activities associated with the 25kW dish system. Additionally, the conferees direct the Department to develop and scope out an initiative to fulfill the goal of having 1,000 MW of new parabolic trough, power tower, and dish engine solar capacity supplying the southwestern United States by the year 2006. A report on this initiative is due to the House and Senate Committees on Appropriations by March 1, 2002.

The conference agreement includes $4,000,000 for technical analysis, technical assistance, and the harmonization of multi-program activities that address the resource opportunities and electric power needs of the southwestern United States. The expertise of the National Renewable Energy Laboratory (NREL) is to be made available through a site office in Nevada. NREL will provide expertise through a virtual laboratory concept, serving as a portal for electronic communications, information sharing, data warehousing, and partnerships among universities, researchers, technology developers, and those interested in deployment.

Wind.—The conference agreement includes $41,000,000 for wind programs. The conferees have provided $500,000 for the remote location pilot project at the Toledo Harbor Lighthouse; $1,000,000 for the Washington Electric Cooperative wind energy generating facility in Vermont; $500,000 for the Turtle Mountain Community College project in North Dakota; $1,000,000 for the Kotzebue project in Alaska; $250,000 for a wind generation facility to serve St. Paul and Unalaska, Alaska; and $500,000 for the small wind program being developed by the Vermont Department of Public Service. The Wind Powering America initiative is to be continued at last year's funding level.

Electric energy systems and storage.—The conference agreement includes $63,000,000 for electric energy systems and storage. The conferees have combined the subprograms for high temperature superconducting research and development, energy storage systems, and transmission reliability into a single program for electric energy systems and storage.

The conference agreement includes $4,000,000 to initiate field testing of aluminum ceramic fiber composite conductors; $1,000,000 for the fuel cell powered home using the Smart Energy Management Control System in Alabama; $2,000,000 for the UADispatch Outage Management System in Alabama; $3,000,000 for distributed generation demonstration projects in Indiana, focusing on the problems of interconnection, grid impact, and remote dispatch; $1,000,000

to initiate development of a bipolar nickel metal hydride battery storage system; $2,000,000 for Glenallen power generation upgrades, including extension of electricity to residents of Lake Louise; $2,000,000 for the Kachemak Bay Power System to extend and upgrade marine power cabling to provide power to the villages of Seldovia, Nanwalek, and Port Graham, Alaska; $3,000,000 for the Swan Lake-Lake Tyee electrical intertie pursuant to the Southeast Alaska intertie authorization enacted into law last year; and $3,000,000 to complete the Prince of Wales Island electrical intertie. The conferees note that $20,000,000 has been provided in State and local funds and this Federal amount represents the final installment needed to complete the project. The conference agreement also includes $3,000,000, within available funds, for NREL for research, development, and demonstration of advanced thermal energy storage technology integrated with renewable thermal energy technology. The conferees provide $500,000 to support the joint effort between New Mexico Tech and the Natural Energy Laboratory of Hawaii to integrate, demonstrate, and deploy distributed energy systems.

The conference agreement also includes the budget request for the proposed work between industrial consortia and national laboratories to develop high-performance, low-cost, second-generation, high temperature super-conducting wire.

Renewable Support and Implementation.—The conference agreement includes $14,500,000 for renewable support and implementation programs.

The conference agreement provides $1,500,000 for departmental energy management.

The conference agreement includes $3,000,000 for the international renewable energy program. Of this amount, $1,000,000 is to be provided to International Utility Efficiency Partnerships, Inc., for continuation of joint implementation project development. The conferees expect the Department to work with the Department of Commerce, the U.S. Agency for International Development, and other relevant agencies, to complete, and begin implementation of, a five-year strategic plan to open and expand export markets for U.S. clean energy technologies. The conferees urge the Administration to include adequate funding for this initiative in its Fiscal Year 2003 budget submission.

The conference agreement includes $4,000,000 for the renewable energy production incentive program.

The conference agreement includes $3,000,000 for renewable Indian energy resources. The conferees expect these funds to be administered as competitively awarded grants to federally-recognized tribes throughout the United States.

The conference agreement includes $3,000,000 for renewable program support, of which $1,500,000 is to support the National Alliance for Clean Energy Incubators.

National Renewable Energy Laboratory.—The conference agreement includes $5,000,000 for the National Renewable Energy Laboratory (NREL), the same as the budget request.

Program direction.—The conference agreement includes $19,200,000 for program direction, the same as the budget request.

NUCLEAR ENERGY

The conference agreement provides $250,456,000 for nuclear energy activities instead of $224,130,000 as proposed by the House and $264,069,000 as proposed by the Senate. The conference agreement does not include language specifying funding allocations as contained in the separate House and Senate reports. Within the funds available, the conferees include $400,000 for the Secretary to contract with the nation's sole remaining uranium converter for the purpose of performing research and development to improve the environmental and economic performance of U.S. uranium conversion operations.

Advanced radioisotope power systems.—The conference agreement includes $29,000,000 to maintain the infrastructure necessary to support future national security needs and National Aeronautics and Space Administration missions.

Isotope support.—The conference agreement includes a total program level of $26,177,000 for the isotope program. This amount is reduced by offsetting collections of $9,000,000 to be received in fiscal year 2002, resulting in a net appropriation of $17,177,000. The conference agreement includes $2,494,000 for the Isotope Production Facility at the Los Alamos National Laboratory.

The conferees encourage the Department to continue to explore the concept of extracting medically valuable isotopes from the excess uranium 233 stored in Building 3019 at the Oak Ridge National Laboratory, Tennessee. Within available funds, the Department is urged to proceed with a Request for Proposals (RFP) for this project after submission to the House and Senate Committees on Appropriations of a budget-quality project plan which presents all costs, including the estimated life-cycle costs for storage and disposal of the excess uranium 233, and is crafted in a manner that would not increase the total costs for decontamination and decommissioning of Building 3019. The Department is reminded to consider the end use of the U233-derived material for clinical trials when preparing the RFP and evaluating proposals for this project, and may require the contractor to be capable of meeting the Good Manufacturing Practice requirements of the Food and Drug Administration with respect to the production of actinium 225.

University reactor fuel assistance and support.—The conference agreement includes $17,500,000, $5,526,000 more than the budget request. The conferees direct the Department to use the additional resources to begin implementing the recommendations contained in the April 2001 Final Report of the University Research Reactor Task Force of the Nuclear Energy Research Advisory Committee (NERAC), specifically, to establish geographically distributed regional university research reactor user facilities and geographically distributed training and education reactor facilities. The Department is expected to use a peer-reviewed process in selecting which facilities will receive Department support, and to involve fully the nuclear engineering and nuclear medicine communities in this process. The Department is directed to report to the House and Senate Committees on Appropriations by May 31, 2002, on its plan to implement the NERAC Task Force recommendations. The program should also include substantial financial support from the nuclear industry.

Research and development.—The conference agreement provides $51,000,000 for nuclear energy research and development activities.

The conference agreement includes $7,000,000, $2,500,000 more than the budget request, for nuclear energy plant optimization. The conferees direct the Department to ensure that projects are funded jointly with non-Federal partners and that the total non-Federal contributions are equal to or in excess of total Department contributions to projects funded in this program.

The conferees have provided $32,000,000 for the Nuclear Energy Research Initiative (NERI).

The conference agreement includes a total of $12,000,000 for nuclear energy technologies, an increase of $7,500,000 over the budget request. The conference agreement includes $4,000,000 for completion of the Generation IV Technology Roadmap; and $3,000,000 for advanced reactor development consistent with the longer term recommendations of the Generation IV Technology Roadmap and to continue research begun in the current fiscal year on small, modular nuclear reactors. The conferees encourage the Department to implement the recommendations of the Nuclear Energy Research Advisory Committee's Near-Term Deployment Group to support industry applications to the Nuclear Regulatory Commission (NRC) for Early Site Permits, Combined Operating Licenses, and Design Certifications. The conference agreement provides $3,000,000 to share with industry the cost of these new NRC licensing processes. The conference agreement also provides $2,000,000 for fuel testing, code verification and validation, and materials testing at national laboratories in support of license applications for new reactor designs.

Infrastructure.—The conference agreement provides a total of $82,529,000. The conference agreement provides $35,357,000 for ANL–West Operations, which includes $2,000,000 for the advanced test reactor research and development upgrade initiative. The conference agreement also provides $8,733,000 for Test Reactor Area landlord activities. Funds provided by the Senate to initiate conceptual design for a remote-handled transuranic waste facility at ANL–West have been transferred to the environmental management program.

The conference agreement provides the budget request of $38,439,000 for the Fast Flux Test Facility (FFTF). No funds may be obligated for any purpose other than deactivation at FFTF until 90 days after receipt of the Secretary's recommendations for alternative actions at FFTF and the approval of those recommended alternative actions by the House and Senate Committee on Appropriations.

Nuclear facilities management.—The conference agreement provides $30,250,000 as proposed by the House. This amount includes $4,200,000 for the EBR–II shutdown, $16,200,000 for the disposition of spent nuclear fuel and legacy materials, and $9,850,000 for disposition technology activities.

Program direction.—The conference agreement includes $23,000,000 for program direction, a reduction of $2,062,000 from the budget request.

ENVIRONMENT, SAFETY AND HEALTH

The conference agreement includes $30,500,000 for non-defense environment, safety and health activities, which includes $19,527,000 for program direction. When combined with $117,688,000 provided for defense environment, safety and health activities, the conference agreement makes a total of $148,188,000 available for environment, safety and health activities, a reduction of $1,912,000 from the total budget request for these activities. This funding reduction does not reflect any reduction in the Department's environment, safety, and health responsibilities, nor in the conferees' expectation that the Department will fulfill those responsibilities in a thorough and professional manner. However, the conferees do expect the Department to take steps to reduce its current headquarters staffing levels and reduce its reliance on support contractors to execute its responsibilities. The conference agreement includes $600,000 to be transferred to the Occupational Safety and Health Administration for worker health and safety at those sites transferred to non-Federal entities and for the Department's non-nuclear facilities not covered under the Atomic Energy Act.

TECHNICAL INFORMATION MANAGEMENT PROGRAM

The conference agreement provides $7,770,000, including $1,400,000 for the Technical Information Management program and $6,370,000 for program direction.

FUNDING ADJUSTMENTS

The conference agreement includes a general reduction of $18,000,000.

NON-DEFENSE ENVIRONMENTAL MANAGEMENT

The conference agreement provides $236,372,000 for Non-Defense Environmental Management instead of $227,872,000 as proposed by the House and $228,553,000 as proposed by the Senate.

The conference agreement includes $43,000,000 for site closure and $64,119,000 for site/project completion activities, the same as the budget request. The conferees encourage the Department to accelerate cleanup along the Columbia River in Hanford's 300 Area.

Post 2006 completion.—The conference agreement includes $125,753,000 for Post 2006 completion activities, an increase of $5,700,000 over the budget request. Additional funding of $3,700,000 is provided to maintain the cleanup activities at the Energy Technology Engineering Center in California. The conference agreement includes $2,000,000 for stabilization activities at the Atlas uranium mill tailings site in Utah as proposed by the House.

West Valley.—The conference agreement provides a total of $90,000,000 for the West Valley Demonstration Site in New York. However, the conferees remain concerned about the lack of agreement between the Department and the State of New York regarding the scope of Federal cleanup activities at the site and the respective Federal and State cost shares for those activities. While the recent resumption of negotiations is encouraging, the lack of agreement remains, as the General Accounting Office noted, the most significant impediment to completing cleanup of this site.

The conference agreement provides $90,000,000 for cleanup activities at the West Valley Demonstration Project in fiscal year 2002. Funding in subsequent fiscal years shall be reduced to the minimum necessary to maintain the project in a safe and stable condition, unless, not later than September 30, 2002, the Secretary: provides written notification to the House and Senate Committees on Appropriations that an agreement has been reached with the State of New York defining the final scope of Federal cleanup activities at the West Valley site and the respective Federal and State cost shares for those cleanup activities; submits that proposed agreement to the House and Senate Committees on Appropriations; and provides a written certification that the Federal activities proposed in that agreement will be in full compliance with all relevant Federal statutes, including the West Valley Demonstration Project Act of 1980 and the Nuclear Waste Policy Act of 1982, as amended, and are in the best interest of the Federal government. The Committees do not require the Secretary to submit a fully executed final agreement, but rather a draft agreement sufficiently complete to demonstrate that all principal issues in dispute have been resolved.

Excess facilities.—The conference agreement provides $3,500,000, an increase of $2,119,000 over the budget request, for excess facilities to begin actual decontamination and decommissioning of excess facilities owned by the environmental management program.

URANIUM FACILITIES MAINTENANCE AND REMEDIATION

The conference agreement provides $418,425,000 for uranium activities instead of $393,425,000 as proposed by the House and $408,725,000 as proposed by the Senate.

Uranium Enrichment Decontamination and Decommissioning Fund.—The conference agreement includes $299,641,000 for the uranium enrichment decontamination and decommissioning (D&D) fund. Additional funding of $27,000,000 is provided for continued cleanup at Paducah, Kentucky, and $30,000,000 is provided for continued cleanup at the East Tennessee Technology Park in Oak Ridge, Tennessee.

The conference agreement does not include funding recommended in this account by the Senate for uranium conversion activities. This issue is addressed in the Energy Supply appropriation account.

Other Uranium Activities.—The conference agreement provides $123,784,000 for other uranium activities. The conferees have included the budget request of $110,784,000 for operating expenses associated with the maintenance of facilities and inventories and preexisting liabilities and consolidated the funding for these activities into one program.

The conference agreement provides the budget request of $10,000,000 for Project 02–U–101, Depleted Uranium Hexafluoride Conversion Project, in Paducah, Kentucky, and Portsmouth, Ohio, and transfers this project from the uranium enrichment D&D program to other uranium activities.

The conference agreement also provides $3,000,000 as proposed by the Senate to continue Project 96–U–201, DUF6 Cylinder Storage Yard, at Paducah, Kentucky.

Funding adjustment.—The conference agreement includes the use of $5,000,000 of prior year unobligated and uncosted balances.

SCIENCE

The conference agreement provides $3,233,100,000 instead of $3,166,395,000 as proposed by the House and $3,268,816,000 as proposed by the Senate. The conference agreement does not include language specifying funding allocations as contained in the separate House and Senate reports. The conference agreement does not include bill language proposed by the Senate earmarking funds for specific purposes.

High energy physics.—The conference agreement provides $716,100,000 for high energy physics, the same as the budget request. The conferees encourage strong support for university research and for research on low temperature superconductors to support high energy physics requirements. General Purpose Equipment and General Plant Projects should be funded for Office of Science laboratories at fiscal year 2001 levels. Funds provided by the Senate for a demonstration of the mass of the neutrino at the Waste Isolation Pilot Plant have been transferred to the environmental management program.

Nuclear physics.—The conference agreement provides $360,510,000 for nuclear physics, the same as the budget request. The conferees urge the Department to use these funds to enhance operation of the Relativistic Heavy Ion Collider (RHIC) at the Brookhaven National Laboratory and the Thomas Jefferson National Accelerator Facility in Virginia.

Biological and environmental research.—The conference agreement includes $527,405,000 for biological and environmental research. The conferees have included $11,405,000 to complete the construction of the Laboratory for Comparative Functional Genomics at the Oak Ridge National Laboratory. The conference amount includes a total of $18,000,000 for the low dose effects program; $3,500,000 in additional funding for computer upgrades and capital equipment costs at the Environmental Molecular Science Laboratory; and includes funding to continue the free air carbon dioxide experiments at the fiscal year 2001 level.

The conference agreement includes $2,600,000 for the positron emission tomography center at the University of South Alabama; $4,000,000 for the Gulf Coast Cancer Center and Research Institute; $2,000,000 for the University of Alabama at Birmingham center for nuclear magnetic resonance imaging; $1,000,000 for University of South Alabama research, in cooperation with industry and the Cooperative Research Network of the National Rural Electric Cooperative Association, on a fuel cell powered home using the Smart Energy Management Control System; $1,650,000 for the new library and regional resource learning center at Spring Hill College; $100,000 for the South Alabama Medical Education Outreach Program; $2,250,000 for the University of Florida Genetics Institute; $2,700,000 for a new linear accelerator for the Baystate Medical Center; $1,200,000 for the Cancer Institute of New Jersey; $1,000,000 for the Institute for Molecular and Biomedical Science at the University of Arizona; $1,000,000 for the Stanley Scott Cancer Center at Louisiana State University; $1,000,000 for the Infotonics Center of Excellence in Rochester, New York; $500,000 for the Joint Collaboration on Advanced Nanotechnology and Sensors with the University of New Orleans, Louisiana State University, and Louisiana Tech; $500,000 for the Breast Cancer Program at the North Shore—Long Island Jewish Health System; $500,000 for a functional magnetic resonance imaging machine at the University of Texas at Dallas and the University of Texas Southwestern Medical Center's Center for Brain, Cognition, and Behavior; $500,000 for the Integrated Environmental Research and Services program at Alabama A&M University; and $500,000 for the energy efficiency initiative at the Carolinas Health Care System.

The conference agreement includes $3,000,000 for the Multidisciplinary Research Facility at the College of Engineering, University of Notre Dame; $500,000 for a linear accelerator for the Burbank Regional Cancer Center in Fitchburg, Massachusetts; $500,000 for Hampshire College's National Center for Science Education; $1,000,000 for the Audubon Biomedical Science and Technology Park at Columbia University; $1,000,000 for the McFadden Science Center at Texas Wesleyan University; $1,000,000 for the emergency power supply system at Cedars-Sinai Medical Center; $1,000,000 for the Rush-Presbyterian-St.Luke's Medical Center; $1,000,000 for a nanoscience facility at Purdue University; $1,000,000 for the Julie and Ben Rogers Cancer Institute; $1,000,000 for the School of Public Health at the University of South Carolina; $1,000,000 for the continued development of the Life Sciences Building at Brown University; $1,000,000 for environmental modeling at the University of North Carolina at Chapel Hill; $1,000,000 to support renovation of the Science, Technology, and Engineering Research Complex at Jackson State University; and $1,000,000 for the PowerGrid simulator at Drexel University and the New Jersey Institute of Technology.

The conference agreement includes $7,000,000 for the positron emission tomography facility at West Virginia University; $2,000,000 for a linear accelerator for the University Medical Center of Southern Nevada; $250,000 for the research foundation of the University of Nevada-Las Vegas; $200,000 for the University of Nevada-Las Vegas to continue study of the biological effects of exposure to low-level radioactivity; $500,000 for a biomolecular nuclear magnetic resonance instrument at the Medical University of South Carolina; $1,000,000 for the Oncology Center of the Medical University of South Carolina; $3,000,000 for the National Center of Excellence in Photonics and Microsystems in New

York; $500,000 for the Institute of Comparative Genomics at the American Museum of Natural History; $750,000 for the Inland Northwest Natural Resources Research Center at Gonzaga University; $500,000 for the Hall of Paleontology at the Field Museum; $500,000 for the Center for Catalysis at Iowa State University; $1,000,000 for the Human Genome Project at the University of Southern California; $500,000 for biomedical research at Creighton University; $500,000 for the Child Health Institute of New Brunswick, New Jersey; $500,000 for the Oregon Renewable Energy Center; $1,000,000 for superconductor research at Boston College; $500,000 for the Natural Energy Laboratory in Hawaii; and $800,000 for the Rochester Institute of Technology microelectronics technology program.

The conference agreement includes $11,000,000 for operations and capital investment at the Mental Illness and Neuroscience Discovery Institute; and $2,000,000 for the University of Missouri-Columbia to expand the federal investment in the university's nuclear medicine and cancer research capital program.

Basic energy sciences.—The conference agreement includes $1,003,705,000 for basic energy sciences. The conference agreement includes the full amount of the budget request for the Spallation Neutron Source and the SPEAR 3 upgrade at the Stanford Synchrotron Radiation Laboratory. The conferees have included $3,000,000 to initiate project engineering and design (PED) for three user facilities for nanoscale science research (Project 02–SC–002), and the budget request of $7,685,000 for the Experimental Program to Stimulate Competitive Research (EPSCoR). For purposes of reprogramming in fiscal year 2002, the Department may reallocate funding among all operating accounts within Basic Energy Sciences.

Advanced scientific computing research.—The conference agreement includes $158,050,000 for advanced scientific computing research (ASCR). The conferees support the use of available funds for the Scientific Discovery Through Advanced Computing (SciDAC) program and for terascale operating systems development. The conferees urge the Department to maximize the involvement of universities in the ASCR program, so that both the Department and the academic community can share in the latest technology developments in this field.

Energy research analyses.—The conference agreement includes $1,000,000 for energy research analyses, the same amount provided by the House and the Senate.

Multiprogram energy labs—facility support.—The conference agreement includes $30,175,000 for multi-program energy labs-facility support, the same as the budget request.

Fusion energy sciences.—The conference agreement includes $248,495,000, as proposed by both the House and Senate, for fusion energy sciences.

Facilities and infrastructure.—The conference agreement includes $10,000,000 for a new Facilities and Infrastructure program, as proposed by the House, to address infrastructure needs at the Department's science laboratories.

Safeguards and security.—The conference agreement includes $55,412,000 for safeguards and security activities at laboratories and facilities managed by the Office of Science.

Program Direction.—The conference agreement includes $139,960,000 for program direction. This amount includes $63,000,000 for field offices, $72,500,000 for headquarters, and $4,460,000 for science education. The control level for fiscal year 2002 is at the program account level of program direction.

Funding adjustments.—A general reduction of $12,800,000 has been applied to this account, as well as the security charge for reimbursable work of $4,912,000 included in the budget request.

NUCLEAR WASTE DISPOSAL

The conference agreement provides $95,000,000 for Nuclear Waste Disposal, instead of $133,000,000 as proposed by the House and $25,000,000 as proposed by the Senate. When combined with the $280,000,000 appropriated from the Defense Nuclear Waste Disposal account, a total of $375,000,000 will be available for program activities in fiscal year 2002. The conference agreement includes not to exceed $2,500,000 for the State of Nevada and $6,000,000 for affected units of local government.

The conferees direct the Department to focus all available resources on completing a quality Site Recommendation report, and the accompanying final Environmental Impact Statement (EIS), in a timely manner. The final Site Recommendation and final EIS were due in July 2001, and the conferees expect that these will be delivered to Congress no later than February 28, 2002. The conferees acknowledge that certain scientific and engineering work is directly related to the Site Recommendation and to resolving the technical concerns of the NRC and the Nuclear Waste Technical Review Board, and that such work should not automatically terminate upon submission of the Site Recommendation. However, if the Site Recommendation is negative, the conferees expect the Department to terminate promptly all such activities and take the steps necessary to remediate the site.

DEPARTMENTAL ADMINISTRATION

(INCLUDING TRANSFER OF FUNDS)

The conference agreement provides $210,853,000 for Departmental Administration expenses instead of $209,611,000 as proposed by the House and $208,948,000 as proposed by the Senate. Funding adjustments include a transfer of $22,000,000 from Other Defense Activities and the use of $10,000,000 of prior year balances. Revenues of $137,810,000 are estimated to be received in fiscal year 2002, resulting in a net appropriation of $73,043,000.

The conference agreement does not include language proposed by the House allowing the Department to transfer funds previously appropriated for Year 2000 (Y2K) activities to this account. The Y2K funds expired on September 30, 2001.

Specific funding levels for each Departmental organization are provided in the accompanying table.

Office of Management, Budget and Evaluation.—The conference agreement provides $107,000,000 for the Office of Management, Budget and Evaluation. This is a new organization created by merging the Office of Management and Administration with the Office of the Chief Financial Officer (including the Office of Engineering and Construction Management). This reorganization is expected to improve program and project management by bringing together acquisitions, performance appraisals, and funding decisions.

The conferees expect the Department to increase the current staffing levels and fully fund the program activities of the Office of Engineering and Construction Management.

Corporate Management Information Program.—The conferees have provided a total of $15,000,000 for the Department's Corporate Management Information Program in two accounts: $5,000,000 in Departmental Administration and $10,000,000 in Other Defense Activities. The Department had requested a total of $20,000,000 in the Other Defense Activities account.

Reprogramming guidelines.—The conference agreement provides reprogramming authority of $1,000,000 or 10 percent, whichever is less, within the Departmental Administration account without submission of a reprogramming to be approved by the House and Senate Committees on Appropriations. No individual program account may be increased or decreased by more than this amount during the fiscal year using this reprogramming authority. Congressional notification within 30 days of the use of this reprogramming authority is required. Transfers which would result in increases or decreases in excess of $1,000,000 or 10 percent to an individual program account require prior notification and approval.

OFFICE OF THE INSPECTOR GENERAL

The conference agreement provides $32,430,000 for the Inspector General as proposed by the House instead of $30,000,000 as proposed by the Senate.

ATOMIC ENERGY DEFENSE ACTIVITIES

NATIONAL NUCLEAR SECURITY ADMINISTRATION

The National Nuclear Security Administration (NNSA), a semi-autonomous agency within the Department of Energy, manages and operates the Nation's nuclear weapons, nuclear nonproliferation, and naval reactors activities.

Nuclear posture review.—The conferees have provided a significant increase above the President's budget request and above the House bill in nuclear weapons activities, to include refurbishment of specific nuclear weapons as well as generic nuclear weapons-related process and infrastructure improvements. The basis for providing these additional funds is informal information provided by the NNSA at the Committees' request, rather than a formal budget request from the Administration. The information largely addresses on-going programs and generic process improvements, and does not identify the need to develop a specific new nuclear weapon in fiscal year 2002. The conferees agree that these investments are vital to ensuring that the NNSA can efficiently support Department of Defense schedules and requirements to maintain the highest levels of performance for our nation's nuclear weapons, while maximizing safety for NNSA employees and contractors performing the stockpile stewardship mission.

The conferees are concerned that NNSA not spend funds early in fiscal year 2002 that turn out to be wasted effort once the Nuclear Posture Review and its implementation by the Administration and the Congress is completed. The conferees are also concerned that the NNSA not spend funds in fiscal year 2002 that presuppose the outcome of the Nuclear Posture Review or thwart the ability of Congress to provide effective and timely oversight. It is the conferees' intent and instruction that the NNSA use the funds in its budget request and the additional funds provided herein for nuclear weapons activities only for generic process and infrastructure improvements and to continue on-going weapon refurbishment activities. NNSA should minimize weapon-unique investments in fiscal year 2002 in those instances where NNSA knows today that there is uncertainty about the long-term viability of the nuclear weapon or its delivery system. The NNSA may not use funds in fiscal year 2002 to initiate new weapons development programs or to initiate new warhead refurbishment programs that have not been formally identified to and approved by the Congress, other than through formal written reprogramming requests to the Armed Services and Appropriations Committees of Congress.

The conferees are concerned in particular about the W–80 warhead refurbishment for air-launched cruise missiles. The Department of Energy has the means to extend the life of the W–80 warhead by tens of years, yet

the Department of Defense has yet to budget any funds to extend the life of its air-launched cruise missiles. Even if the life of the W–80 warhead and cruise missile were extended in an integrated and synchronized manner, the question of the desirability of extending the life of the B–52 aircraft fleet (already 40 years old) for a similar extended timeframe would need to be addressed by both the Administration and Congress. Because of the uncertainty surrounding these issues, the conferees designate funding for W–80 warhead life extension in fiscal year 2002 to be of special interest. Use of fiscal year 2002 funds for the unique costs to develop or implement W–80 warhead refurbishment that involve long-term life extension require advance written notification to and approval by the Armed Services and Appropriations Committees of Congress.

NNSA budget justifications.—The conferees agree that NNSA budget justification material for major nuclear weapon acquisition programs is currently not sufficient to assure adequate Congressional oversight of these very important programs. NNSA, in conjunction with the Department of Defense, is expected to propose significant investment in strategic weapon systems (to include refurbishments and life extensions) during the next 10 years to meet military requirements once the Administration's Nuclear Posture Review is completed. The Congress will have to examine these proposals in detail and will likely be asked to agree to higher levels of annual spending for these initiatives. It is vital that NNSA articulate the investment costs and benefits of such proposals in a clear and consistent manner.

The conferees direct the Administrator to submit Selected Acquisition Reports (SAR) once a year to the Armed Services and Appropriations Committees of Congress, to accompany the fiscal year 2003 and subsequent President's Budgets. The reports should be similar in content and format to those submitted to Congress by the Department of Defense pursuant to section 2432 of Title 10 of United States Code. The NNSA should identify criteria for designating its major defense acquisition programs, as the Defense Department has done, and then report annually on systems which meet them. The NNSA should also identify criteria for when to start SAR reporting for a given weapon system, and when to end it. SAR systems are generally those which require a significant development cost (hundreds of millions of dollars) or significant acquisition cost (billions of dollars). The conferees anticipate that this reporting requirement will not place an undue burden on the NNSA. If a system is to be refurbished in a block-approach, the SAR report must address information on each and all blocks of the program.

The conferees further direct that the Comptroller General review the NNSA's fiscal year 2003 submission of selected acquisition reports within 90 days of their submission to Congress, and assess whether they adequately and thoroughly identify information equivalent to what the Department of Defense provides Congress in its SAR reports. The conferees also direct the NNSA to include detailed information in the budget justification documents for its fiscal year 2003 and subsequent President's budget requests to Congress by weapon system. The budget should clearly show the unique and the fully-loaded cost of each weapon activity, to include refurbishments and conceptual study and/or development of new weapons.

Construction projects.—The conference agreement includes a significant increase in funding for new and ongoing construction projects and a new program for facilities and infrastructure upgrades. While these increases are necessary to maintain the nuclear weapons complex, the conferees are concerned that these increases will tax the existing project management expertise of the NNSA and its contractors. To ensure that construction project funding is properly executed, the conferees direct the NNSA's Office of Project Management Support to review each of these projects and verify that the conceptual design and at least 35 percent of the detailed design are completed before construction funds are obligated. The NNSA is strongly encouraged to use the expertise resident in the Department's Office of Construction and Engineering Management for this purpose.

Nuclear Weapons Council Reporting.—The Armed Services Committees require annual reporting on the activities of the Nuclear Weapons Council, a joint Department of Defense and Energy activity that manages nuclear weapons. This document is a key tool for the Appropriations and Armed Services Committees of Congress to perform effective oversight of our nation's nuclear weapons. The Secretary of Energy submitted the fiscal year 2000 report (dated October 1, 2000) on September 26, 2001. The conferees question the utility of a report (under 20 pages) whose information is about a year old when submitted, and whether the Departments of Energy and Defense take seriously the need to responsibly support Congressional oversight of nuclear weapons on a timely basis. Reports to Congress on a previous fiscal year's activities, to be relevant to the authorization and appropriations process, should be submitted for Committees to use during their hearings in the spring of the following year. Waiting until the end of the fiscal year to submit the information inhibits the hearing process, the authorization process, and the appropriations process as well as depriving Members of Congress charged with an important oversight responsibility from effectively performing their duty due to lack of timely information. The conferees direct the Secretary of Energy to submit future reports by March 1 of each year.

WEAPONS ACTIVITIES

The conference agreement provides $5,429,238,000 for Weapons Activities instead of $5,123,888,000 as proposed by the House and $6,062,891,000 as proposed by the Senate. The Administration's budget request for Weapons Activities was $5,300,025,000 which included $271,137,000 for program direction activities. The conference recommendation transfers all program direction funding to the Office of the NNSA Administrator account which has the effect of reducing the fiscal year 2002 budget request for Weapons Activities to $5,028,888,000. Thus, the conference recommendation is $400,850,000 over the budget request for nuclear weapons programmatic activities.

Statutory language proposed by the Senate to earmark funds for technology partnerships and community reuse organizations has not been included. The conferees direct the NNSA to fully utilize technology partnerships supportive of its missions, including the support of small business interactions including technology clusters around the laboratories.

Reprogramming.—The conference agreement provides limited reprogramming authority within the Weapons Activities account without submission of a reprogramming to be approved in advance by the House and Senate Committees on Appropriations. The reprogramming thresholds will be as follows: directed stockpile work, science campaigns, engineering campaigns, inertial confinement fusion, advanced simulation and computing, pit manufacturing and certification, readiness campaigns, and operating expenses for readiness in technical base and facilities. This should provide the needed flexibility to manage these programs.

In addition, funding of not more than $5,000,000 may be transferred between each of these categories and each construction project subject to the following limitations: only one transfer may be made to or from any program or project; the transfer must be necessary to address a risk to health, safety or the environment or to assure the most efficient use of weapons activities funds at a site; and funds may not be used for an item for which Congress has specifically denied funds or for a new program or project that has not been authorized by Congress.

Congressional notification within 30 days of the use of this reprogramming authority is required. Transfers during the fiscal year which would result in increases or decreases in excess of $5,000,000 or which would be subject to the limitations outlined in the previous paragraph require prior notification and approval from the House and Senate Committees on Appropriations.

Directed stockpile work.—The conference agreement includes $1,045,814,000 for directed stockpile work instead of $1,043,791,000 as proposed by the House and $1,081,337,000 as proposed by the Senate.

Campaigns.—The conference agreement consolidates the individual campaigns into six major groups: science campaigns, engineering campaigns, inertial confinement fusion, advanced simulation and computing, pit manufacturing and certification, and readiness campaigns. Funding for individual campaigns is shown on the accompanying table.

For science campaigns, the conference agreement provides $269,703,000, an increase of $8,583,000 over the budget request. From within available funds, an additional $25,000,000 is provided for advanced radiography to continue research, development and conceptual design for an advanced hydrodynamic test facility, including further development and evaluation of proton radiography techniques.

For engineering campaigns, the conference agreement provides $245,225,000, an increase of $9,469,000 over the budget request, to meet additional program requirements.

For inertial confinement fusion, the conference agreement provides $506,443,000, an increase of $39,500,000 over the budget request, and includes several program funding adjustments. The conference agreement includes $10,000,000 for the Naval Research Laboratory, the same as the budget request. Funding of $24,500,000 has been provided to further development of high average power lasers.

The conference agreement includes $35,450,000 for the Laboratory for Laser Energetics at the University of Rochester, an increase of $2,000,000 over the budget request, to be used for development of critical short-pulse laser technologies that should be extensible to producing very high power laser capability on the National Ignition Facility as well as existing large fusion research lasers like Omega.

The conference agreement provides an additional $7,000,000 for enhanced National Ignition Facility (NIF) diagnostics and cryogenic target activities, and $245,000,000, the same as the budget request, for continued construction of the NIF.

The conferees understand the Department is preparing a National Petawatt Strategic Plan and support completion of this initiative, including within the strategic planning the research and development of supporting technologies necessary to ensure U.S. leadership in ultra-short-pulse laser technology. Funding of $3,000,000 is provided for conceptual and preliminary engineering design

studies for a petawatt-class laser at the Sandia National Laboratory's Z machine, and $1,000,000 is provided to initiate development of critical short-pulse laser technologies like damage-resistant gratings.

The conferees strongly support university participation in this program and have provided $9,886,000 for university grants/other ICF support, an increase of $4,500,000 over the budget request. This includes $2,500,000 to complete the installation and initiate operation of a petawatt laser or high-power, short-pulse laser at the University of Nevada-Reno. The conferees believe that early access to an operating petawatt-class laser will provide opportunities for exploring technology options to incorporate in the next generation of petawatt lasers. The conferees direct the Department to provide a monthly status report to the House and Senate Committees on Appropriations on the status of the University of Nevada-Reno project. The conferees have included the additional $2,000,000 for university grants to encourage greater participation of universities in the Department's programs and as a means of training new scientists in high energy density and laser physics.

For advanced simulation and computing, the conference agreement provides $729,847,000, a decrease of $8,185,000 from the budget request. The reduction in operating expenses should be taken against lower priority activities. The conference agreement allocates funding of $8,400,000 for Project 01–D–101, the Distributed Information Systems Laboratory at Sandia; $22,000,000 for Project 00–D–103, the Terascale Simulation Facility at Livermore; and $13,377,000 for Project 00–D–107, the Joint Computational Engineering Laboratory at Sandia. Each of these projects has experienced significant reductions in prior years due to funding constraints.

For pit manufacturing and certification, the conference agreement provides $219,000,000, an increase of $90,455,000 over the budget request of $128,545,000. On September 28, 2001, the NNSA Administrator notified the House and Senate Committees on Appropriations that the fiscal year 2002 projected cost for pit manufacturing and certification was $213,000,000. In addition, the conferees have provided the budget request of $2,000,000 for pit manufacturing and certification activities not specifically supporting the W88 and $4,000,000 for preconceptual design activities for a new pit manufacturing facility. From within the funds provided, the conference agreement includes full funding for subcritical experiments to be performed at the Nevada Test Site. Additional funding is provided within the Readiness in Technical Base and Facilities program to support facilities and activities critical to the success of the pit manufacturing and certification campaign.

For readiness campaigns, the conference agreement provides $196,886,000, an increase of $31,869,000 over the budget request. This includes, at a minimum, an additional $24,000,000 for the Y–12 Plant in Oak Ridge, Tennessee. No funding is provided for Project 98–D–126, Accelerator Production of Tritium, the same as the budget request.

For readiness in technical base and facilities, the conference agreement provides $1,553,124,000, an increase of $106,136,000 over the budget request, and includes several funding adjustments.

Within funds provided for operations of facilities, the conferees direct that, at a minimum, an additional $25,000,000 be provided for the Pantex Plant in Texas and an additional $10,000,000 be provided for the Y–12 Plant in Oak Ridge, Tennessee. The conference agreement also includes an additional $10,000,000 for the Z machine refurbishment at Sandia; $10,000,000 to consolidate and enhance counter-terrorism activities and programs at the National Center for Combating Terrorism at the Nevada Test Site; and $1,500,000 for technology partnerships with industry as proposed by the Senate.

The conference agreement does not provide additional funding to process uranium-233 as proposed by the Senate. This issue is addressed in the Energy Supply account.

Within funds provided for program readiness, the conference agreement includes additional funding of $10,000,000 for the operation of pulsed power facilities at Sandia National Laboratory. Additional funding of $9,094,000 above the budget request is provided to maintain Nevada Test Site readiness and maintain materials processing and component manufacturing readiness consistent with the 1993 Presidential directive concerning underground nuclear testing.

Within funds provided for special projects, the conference agreement includes $1,000,000 for the Remote Sensing Laboratory to enhance pilot proficiency, aircraft safety, and aviation support elements; $1,000,000 for final funding for the tumor registry in the State of Nevada; $250,000 to prepare a plan to preserve the history of the Manhattan project; $1,000,000 for installation of exhibits at the Atomic Testing History Institute; and the budget request for the Los Alamos County Schools and the New Mexico Education Enrichment Foundation.

The conference agreement includes $90,310,000 for materials recycling, $8,199,000 for containers, $10,643,000 for storage, and $88,923,000 for nuclear weapons incident response, as proposed by the Senate.

For construction projects, the conference agreement includes several adjustments to the budget request. Funding of $22,830,000 is provided for Project 02–D–103, Project Engineering and Design (PE&D), including $4,000,000 for architecture and engineering services for modernization of surface support facilities for the U1A complex at the Nevada Test Site; $4,750,000 for Project 02–D–105, Engineering Technology Complex Upgrade at Livermore; $3,507,000 for Project 02–D–107, Electrical Power Systems Upgrades at the Nevada Test Site; $16,379,000 for Project 01–D–103, PE&D, including $2,693,000 for electrical power systems upgrades at the Nevada Test Site; $67,000,000 for Project 01–D–108, Microsystems and Engineering Sciences Applications Complex at Sandia; and $2,000,000 for Project 99–D–108, Renovate Existing Roadways at the Nevada Test Site. No funds are provided for Project 01–D–124, HEU Storage Facility at the Y–12 Plant in Tennessee.

Funding of $3,300,000 is provided for Project 01–D–107, Atlas Relocation at the Nevada Test Site. The total estimated cost of this project has increased by $4,123,000 to $16,312,000.

Facilities and Infrastructure.—The conference agreement includes $200,000,000 to establish a new program for facilities and infrastructure (F&I). The Department had requested no funding for this program. The conferees agree with the House report language on the F&I program and direct that at least 25 percent of this funding be used to dispose of excess facilities that will provide the greatest impact on reducing long-term costs and risks.

Secure Transportation Asset.—The conference agreement provides $123,300,000 as proposed by the Senate, an increase of $1,500,000 over the budget request.

Safeguards and security.—The conference agreement includes $448,881,000, the same as the budget request, for safeguards and security activities at laboratories and facilities managed by the National Nuclear Security Administration.

Program direction.—The budget request included $271,137,000 for program direction activities in this account. The conference agreement transfers this funding to the Office of the NNSA Administrator account.

Funding adjustments.—The conference agreement includes an adjustment of $28,985,000 for a security charge for reimbursable work, as proposed in the budget, and a general reduction of $80,000,000.

DEFENSE NUCLEAR NONPROLIFERATION

The conference agreement provides $803,586,000 for Defense Nuclear Nonproliferation instead of $845,341,000 as proposed by the House and $880,500,000 as proposed by the Senate. The Administration's budget request for Defense Nuclear Nonproliferation was $773,700,000 which included $51,459,000 for program direction activities. The conference recommendation transfers all program direction funding to the Office of the NNSA Administrator account which has the effect of reducing the budget request for Defense Nuclear Nonproliferation to $722,241,000. Thus, the conference recommendation is an increase of $81,345,000 over the budget request.

Statutory language proposed by the Senate to earmark funding for official reception and representation expenses has not been included. This activity is funded in the Office of the NNSA Administrator account.

Limitation on Russian and Newly Independent States' (NIS) program funds.—The conferees are concerned about the amount of funding for Russian and NIS programs which remains in the United States for Department of Energy contractors and laboratories rather than going to the facilities in Russia and the NIS. The conferees expect the Department to continue to increase the level of funding provided to Russia versus the funding which remains in the United States for Department of Energy contractors and laboratories in each subsequent year. The conferees direct the Department to apply the lowest possible laboratory overhead rates and to increase the percent of funding spent in Russia. The Department is to provide a report to the House and Senate Committees on Appropriations by January 31, 2002, and each subsequent year on the amount of funding provided to Russia and NIS in each program area. The Department should work with the Committees on the specific information to be included in the report.

Nonproliferation and verification research and development.—The conference agreement provides $244,306,000 for nonproliferation and verification research and development. This includes $19,510,900 for ground-based systems for treaty monitoring, an increase of $7,000,000 over the budget request. From within available funds, $4,000,000 is provided to establish the Remote Systems Test and Engineering Center at the Remote Sensing Laboratory and $2,500,000 for the Incorporated Research Institutions for Seismology PASSCAL Instrument Center. The Department is urged to review the potential value of the Caucasus Seismic Information Network to the nuclear explosion monitoring national security mission.

The conferees continue to support more opportunity for open competition in appropriate areas of the nonproliferation and verification research and development program. The conferees expect the Department to continue to implement recommendations provided by the external review group in support of open competition and direct the Department to initiate a free and open competitive process for at least 25 percent of its research and development activities during fiscal year 2002 for ground-based systems treaty monitoring. The competitive process should be open to all Federal and non-Federal entities.

Arms control.—The conference agreement provides $75,741,000 for arms control activities, instead of the budget request of

$101,500,000, due to several funding transfers. The conference agreement transfers $4,000,000 for the Second Line of Defense program to the International Materials Protection, Control and Accounting program. Funding of $28,759,000 for the NIS nonproliferation program for the Initiatives for Proliferation Prevention and the Nuclear Cities Initiative has been transferred to a new program, ''Russian Transition Initiatives.'' Funding of $15,945,000, an increase of $7,000,000 over the budget request, has been provided for spent nuclear fuel activities in Kazakhstan. No additional funds are provided for spent nuclear fuel storage and a geologic repository in Russia.

International materials protection, control and accounting (MPC&A).—The conference agreement includes $173,000,000 for the MPC&A program including $4,000,000 for the Second Line of Defense program which was transferred from the Arms Control program.

Russian Transition Initiatives.—The conference agreement provides $42,000,000 for the Initiatives for Proliferation Prevention program and the Nuclear Cities Initiative. These programs were transferred from the arms control program. The conferees expect the Department to provide a single program manager responsible for both programs and have provided the Department the flexibility to allocate the funding between the two programs. The program manager should also ensure close coordination with other Federal agencies that direct money to scientists working in closed cities.

HEU transparency implementation.—The conference agreement provides $13,950,000, the same as the budget request.

International nuclear safety.—The conference agreement provides $10,000,000 for the international nuclear safety program, a reduction of $3,800,000 from the budget request. This funding is to be used only for activities in support of completing the upgrades to Soviet-designed nuclear reactors. From within available funds, the conference agreement provides $1,500,000 to transfer and implement proven U.S.-developed Mechanical Stress Improvement Process technology requested by the Russian Federation. The Department is to provide a status report on the progress of this project by March 31, 2002.

Fissile materials disposition.—The conference agreement provides $302,422,000 for fissile materials disposition, an increase of $12,333,000 over the budget request. Limitations on the amount of funding which remains in the United States shall not apply to the fissile material disposition programs.

The conference agreement includes $5,000,000 to support the joint United States-Russian program to develop an advanced reactor for plutonium disposition. The United States should take advantage of this technology for a possible next generation nuclear power reactor for United States and foreign markets. Therefore, the Department should explore opportunities to develop and exploit this technology for commercial purposes.

The conferees are concerned that the Administration's consideration of alternative plutonium disposition and management scenarios, combined with a much lower than expected budget request, have introduced substantial instability into both the Russian and U.S. components of the plutonium disposition program. The conferees regard this program as one of the most important nonproliferation initiatives undertaken between the United States and Russia. It is also closely integrated into the Department's environmental cleanup and material management programs. The instabilities injected into this program are jeopardizing the future of this program, both in this country and in Russia, and may result in the permanent loss of this significant opportunity.

The conferees understand that the issue of plutonium disposition at the Savannah River Site will be fully addressed in the Fiscal Year 2002 Defense Authorization Act. However, the conferees direct the Secretary of Energy to consult with the Governor of the State of South Carolina regarding any decisions or plans of the Secretary related to the disposition of surplus defense plutonium located at the Savannah River Site. The Secretary is also directed to submit to Congress a plan for disposal of surplus defense plutonium 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. This plan is due by February 1, 2002.

The conferees further direct the Secretary to provide 30 days notice to the House and Senate Committees on Appropriations before resuming shipments of defense plutonium and defense plutonium materials to the Savannah River Site.

Until further approval from the Committees on Appropriations, the conferees expect that funds set aside for plutonium disposition in Public Law 105–227, the Omnibus Consolidated and Emergency Supplemental Appropriations Act, 1999, shall only be used in a manner consistent with the current plutonium disposition program.

At the request of the Department, the conference agreement makes the following changes to the Department's budget request. Funding of $5,000,000 is reallocated from Project 99–D–141, the Pit Disassembly and Conversion Facility, to operating expenses in support of this project. Funding of $29,340,000, an increase of $5,340,000 over the budget request, is provided for Project 01–D–407, the HEU Blend Down Project. Funding of $65,993,000, an increase of $2,993,000 over the budget request, is provided for Project 99–D–143, the Mixed Oxide Fuel Fabrication Facility. These increases totaling $8,333,000 are funded through balances remaining from prior year construction projects.

Program direction.—The budget request included $51,459,000 for program direction activities in this account. The conference agreement transfers this funding to the Office of the NNSA Administrator account.

Funding adjustments.—The conference agreement includes funding adjustments of $57,833,000. This includes the use of $42,000,000 of prior year balances, as requested in the budget; $8,333,000 from prior year balances in fissile materials disposition construction projects; and $7,500,000 from prior year unobligated and uncosted balances.

NAVAL REACTORS

The conference agreement provides $688,045,000 for Naval Reactors, the same as the budget request.

OFFICE OF THE ADMINISTRATOR

The conference agreement provides $312,596,000 for the Office of the Administrator instead of $10,000,000 as proposed by the House and $15,000,000 as proposed by the Senate. The conference agreement consolidates program direction funds of $337,596,000 requested in the weapons activities, defense nuclear nonproliferation, and office of the administrator appropriation accounts. Total funding of $312,596,000 has been provided, a reduction of $25,000,000 from the original request. This reduction anticipates efficiencies to be gained through this consolidation and the use of prior year unobligated balances from the three merged program direction accounts.

The conferees do not support increasing the total number of staff in the NNSA. While there is broad agreement that NNSA may not have the appropriate skill mix in its existing work force, there is also broad agreement that simply adding more people is not the answer.

Statutory language providing $12,000 for official reception and representation expenses has been included.

ENVIRONMENTAL AND OTHER DEFENSE RELATED ACTIVITIES

DEFENSE ENVIRONMENTAL RESTORATION AND WASTE MANAGEMENT

The conference agreement provides $5,234,576,000 for Defense Environmental Restoration and Waste Management instead of $5,174,539,000 as proposed by the House and $5,389,868,000 as proposed by the Senate. Additional funding of $1,092,878,000 is contained in the Defense Facilities Closure Projects account and $153,537,000 in the Defense Environmental Management Privatization account for a total of $6,480,991,000 provided for all defense environmental management activities.

The conference agreement provides for the purchase of not to exceed 30 passenger motor vehicles as proposed by the House.

The conferees believe the significant cleanup issues before the Department at the Paducah Gaseous Diffusion Plant in Kentucky require continued strong management oversight from Headquarters. The conferees direct that the Secretary provide for the management of environmental matters (including planning and budgetary activities) with respect to the plant through the Assistant Secretary of Energy for Environmental Management. The Assistant Secretary shall ensure that direct communication and thorough consultation exists at all times between herself and the head of the Paducah environmental cleanup programs on all relevant matters.

Low level waste disposal.—The conferees agree that the Department, where cost-effective, should use existing Federal contracts for the disposal of low-level and mixed low-level waste at commercial off-site disposal facilities. Further, before proceeding with any new on-site disposal cell, the Department is directed to submit to the House and Senate Committees on Appropriations an objective analysis comparing the life-cycle costs of on-site versus off-site disposal alternatives. Such analysis must address the concerns identified by the General Accounting Office in its recent report (GAO–01–441), which found that the Department has not made accurate estimates of waste volumes and transportation costs when comparing on-site versus off-site alternatives.

Site/Project Completion.—The conference agreement provides additional funding to mitigate funding shortfalls at the following sites: $18,000,000 for the Idaho site; $20,000,000 for the Savannah River Site in South Carolina; $34,300,000 for the Hanford site in Richland, Washington; and $7,000,000 for South Valley, Kansas City, Pantex, and Sandia.

The conference agreement includes $9,000,000 to expedite the remediation and conveyance of up to 2000 acres of land for the use of Pueblo of San Ildefonso and approximately 100 acres to the County of Los Alamos consistent with the direction of section 632 of Public Law 105–119.

Funding of $20,000,000 has been provided for a new construction project, Project 02–D–420, Plutonium Packaging and Stabilization, at the Savannah River Site. At the request of the Department, the conference agreement consolidates funding from the following sources for this project: $7,500,000 from current and prior year balances in Project 01–D–414, Project Engineering and Design (PE&D); $4,000,000 from prior year balances available from cancellation of Project 01–D–415, 235–F Packaging and Stabilization project; and $8,500,000 from prior year balances provided to the Savannah River Site in fiscal year 2001 for plutonium stabilization activities.

Funding of $2,754,000 is provided for Project 01–D–414, Project Engineering and Design, as proposed by the House.

Post 2006 Completion.—The conference agreement provides additional funding over the budget request for several activities. Additional funding of $105,000,000 is provided for the Idaho site. From within these funds, $15,000,000 is to initiate activities associated with the demonstration of waste retrieval at the subsurface disposal area at the Idaho National Engineering and Environmental Laboratory (INEEL); $700,000 is to continue conceptual design activities for a subsurface geosciences laboratory at Idaho; $4,000,000 is for the Subsurface Science Research Institute operated by the Inland Northwest Research Alliance and the INEEL; and up to $750,000 is to evaluate the need for a remote-handled transuranic waste facility at ANL-West and initiate conceptual design if needed.

The conferees encourage the Department of Energy to use alternative dispute resolution to resolve claims relating to the contract dispute on Pit 9 at Idaho.

Additional funding of $125,000,000 is provided for the Savannah River Site in South Carolina. From within available funds, $8,000,000 is provided for the Savannah River Ecology Laboratory, an increase of $2,000,000 over the budget request, and $800,000 is provided to continue the Department's relationship with the University of South Carolina's Center for Water Resources.

Additional funding of $110,000,000 is provided for the Hanford site in Richland, Washington, to support the River Corridor Initiative. From within available funds, $8,481,000 is provided for the hazardous waste worker training program, an increase of $7,481,000 over the budget request, and $600,000 is provided for State of Oregon oversight activities. The Department is expected to continue making PILT payments at last year's level to counties that have the Hanford reservation within their boundaries.

Additional funding of $3,400,000 is provided for cleanup activities at the Nevada Test Site and $3,000,000 to continue the underground test area groundwater flow characterization drilling program.

Additional funding of $10,000,000 is provided to continue remediation, waste management, and nuclear materials stewardship activities at Los Alamos National Laboratory and to support New Mexico State Agreements-in-Principal requirements.

Additional funding of $10,000,000 is provided for cleanup activities at the Lawrence Livermore National Laboratory.

Additional funding of $28,100,000 is provided to the Carlsbad field office. This includes $17,100,000 for Waste Isolation Pilot Plant (WIPP) operations; $7,000,000 to implement program-wide best practices to optimize waste processing, develop new technology solutions, and develop a mobile/modular approach for small quantity sites; $3,000,000 to continue the U.S.-Mexico Border Health Commission/Materials Corridor Partnership Initiative; and $1,000,000 for research, development, and initial demonstration in support of an experiment to be conducted at WIPP to evaluate the mass of the neutrino.

Office of River Protection.—The conference agreement provides $1,033,468,000, an increase of $221,000,000 over the budget request, for the Office of River Protection at the Hanford site in Washington. Funding of $665,000,000 has been provided for Project 01–D–416, the Hanford Waste Treatment Plant, to vitrify the high-level waste in underground tanks.

While the conferees share Washington State's concern regarding the Administration's inadequate budget request for the Office of River Protection and Hanford cleanup activities and recognize the right of the State to levy fines under the Tri-Party Agreement, the conferees question the constructiveness of the State's imposition of weekly fines due to the Department's failure to begin construction on the waste treatment plant. As demonstrated in this conference, the conferees continue to adequately support this project and believe the weekly fines may only be serving to distract site managers from the mission of cleanup.

Science and technology development.—The conference agreement provides $255,768,000 for the science and technology development program. The conference agreement provides $4,000,000 for the next round of new and innovative research grants in the environmental management science program in fiscal year 2002.

The conference agreement includes $4,000,000 for the international agreement with AEA Technology; $7,000,000 for the Department's cooperative agreement with the Florida International University; $27,100,000 for the D&D focus area program; $33,800,000 for industry and university programs; $5,000,000 for the Western Environmental Technology Office; $4,000,000 to continue evaluation, development and demonstration of the Advanced Vitrification System; $3,000,000 to continue engineering, development and deployment of remote monitoring systems for the underground test area; $5,000,000 for the Diagnostic Instrumentation and Analysis Laboratory; and $4,350,000 for the university robotics research program.

Limitation on multi-year funding agreements.—The Department is directed not to sign any new funding agreement that commits more than one year of funding for science and technology activities with any entity. The following types of agreements are exempt from this direction: basic and applied research projects that have been competitively awarded; competitively awarded science and technology projects that are phased such that funding for the succeeding phases is contingent upon successful performance, continued scientific merit, and mission relevance of the work to environmental management; and projects requiring significant infrastructure investment which will be cost shared between the Department and the performing entity. For new science and technology projects not meeting one of the above exemptions, the Department shall provide written notification to the Committees of its intent to enter into an agreement that commits more than one year of funding a minimum of 60 days prior to award. This notification must provide a detailed description of the project, the expected benefits, and a justification for multiple year funding.

Excess facilities.—The conference agreement includes $5,000,000, an increase of $3,700,000 over the budget request, for excess facilities. These funds are to be used to initiate D&D of excess facilities owned by the environmental management program.

Safeguards and security.—The conference agreement includes $205,621,000, the same as the budget request, for safeguards and security activities at laboratories and facilities managed by the Office of Environmental Management.

Program direction.—The conferees have provided $355,761,000, the same as the budget request, for the program direction account.

Funding adjustments.—The conference agreement includes the use of $56,770,000 of prior year balances, an increase of $20,000,000 over the budget request, which funds Project 02–D–420 at the Savannah River Site. A security charge for reimbursable work of $5,391,000, the same as the budget request, is included, and a general reduction of $92,110,000, due to funding constraints.

DEFENSE FACILITIES CLOSURE PROJECTS

The conference agreement provides $1,092,878,000 as proposed by the House instead of $1,080,538,000 as proposed by the Senate. Funding is provided for the following projects: $620,504,000 for the Rocky Flats Site in Colorado; $295,299,000 for Fernald, Ohio; $91,000,000 for the Mound site in Ohio; $16,000,000 for the Ashtabula site in Ohio; and $16,100,000 for the Columbus environmental management project in Ohio. The conferees expect the Department to request adequate funds to keep each of these projects on schedule for closure by 2006 or earlier.

Funding of $53,975,000 is provided for safeguards and security. Any savings resulting from safeguards and security costs are to be retained and used for cleanup activities at the closure sites.

DEFENSE ENVIRONMENTAL MANAGEMENT PRIVATIZATION

The conference agreement provides $153,537,000 for the defense environmental management privatization program instead of $143,208,000 as proposed by the House and $157,537,000 as proposed by the Senate. The conference agreement includes $13,329,000 for the Paducah Disposal Facility in Kentucky, the same as the budget request.

Funding of $52,000,000 has been provided for the Advanced Mixed Waste Treatment Project (AMWTP) in Idaho, an increase of $12,000,000 over the budget request of $40,000,000. Funding for the AMWTP does not include financing and termination liability costs for fiscal year 2002 that would be required of the Department of Energy in the unlikely event of a termination for convenience as stipulated in the project contract.

OTHER DEFENSE ACTIVITIES

The conference agreement provides $544,044,000 for Other Defense Activities instead of $487,464,000 as proposed by the House and $564,168,000 as proposed by the Senate. Details of the conference agreement are provided below.

SECURITY AND EMERGENCY OPERATIONS

For security and emergency operations funding managed at Headquarters, the conference agreement provides $250,427,000, a reduction of $18,823,000 from the budget request. The conference agreement provides total safeguards and security funding of $1,004,716,000 which includes $754,289,000 for safeguards and security activities at Departmental field offices and facilities. For field sites, this is an increase of $63,451,000 over fiscal year 2001 funding of $665,178,000 for safeguards and security activities.

Funding of $116,500,000 is provided for nuclear safeguards and security, including $2,500,000 to procure safety locks to meet Federal specifications.

The conference agreement provides $44,927,000 for security investigations, the same as the budget request.

Funding of $10,000,000 is provided for the Corporate Management Information System in this account, a reduction of $10,000,000 from the budget request, and $5,000,000 is provided in the Departmental Administration account.

Program direction.—The conference agreement provides $79,000,000 for program direction, a decrease of $4,135,000 from the budget request.

INTELLIGENCE

The conference agreement includes $40,844,000, the same as the budget request, for the Department's intelligence program.

COUNTERINTELLIGENCE

The conference agreement includes $46,000,000, a reduction of $389,000 from the budget request, for the Department's counterintelligence program.

ADVANCED ACCELERATOR APPLICATIONS

The conference agreement provides $50,000,000 to continue research on advanced accelerator applications, including $4,500,000

for research and development of technologies for economic and environmentally-sound refinement of spent nuclear fuel at the University of Nevada-Las Vegas; $4,000,000 for reactor-based transmutation studies; and $1,500,000 for the Idaho Accelerator Center. No funds are provided for Project 98–D–126, Accelerator Production of Tritium.

The President's National Energy Policy of May 2001 acknowledged the potential of reprocessing and transmutation technologies to reduce the quantity and long-term toxicity of spent nuclear fuel, and recommended further consideration of such technologies. The Advanced Accelerator Applications program will provide the technical information to support a future policy decision on these options.

The Department is directed to prepare a report for Congress by May 1, 2002, providing a comparison of the chemical and pyro-reprocessing, accelerator-driven transmutation, and fast reactor transmutation alternatives, fully disclosing all waste streams and estimating the life-cycle costs to construct, operate, and decommission and decontaminate all necessary facilities. The Department should also compare the proliferation resistance of the various technologies. The baseline for all comparisons should be the once-through fuel cycle as presently used in the United States, and the amount of spent nuclear fuel presently scheduled for disposal in the geologic repository. The conferees expect this report to present the Department's strategy for siting the new processing and disposal facilities that would be required for the various reprocessing and transmutation alternatives, again assuming a capacity sufficient to process the amount of spent fuel presently scheduled for geologic disposal. The conferees encourage the participation of international collaborators, industrial partners, and U.S. universities in this effort.

INDEPENDENT OVERSIGHT AND PERFORMANCE ASSURANCE

The conference agreement provides $14,904,000, the same as the budget request, for the independent oversight and performance assurance program. The conferees are aware that additional duties for environmental oversight have been assigned to this office and expect the Department to submit a reprogramming to transfer an estimated $7,000,000 to support these oversight activities which have been funded previously in the environment, safety and health program.

ENVIRONMENT, SAFETY AND HEALTH (DEFENSE)

The conference agreement provides $117,688,000 for defense-related environment, safety and health activities. From within available funds, $53,438,000 is provided for health effects studies and $13,500,000 for the Radiation Effects Research Foundation, the same as the budget request. The conferees have provided $5,000,000 to continue a program at the University of Nevada-Las Vegas for Department-wide management of electronic records; $1,750,000 for the University of Louisville and the University of Kentucky to perform epidemiological studies of workers; and $1,000,000 for health studies of workers at the Iowa Army Ammunition Plant.

The U.S. government is currently renegotiating its diplomatic, defense, and economic relationship with the Government of the Republic of the Marshall Islands (RMI). The conferees urge the U.S. government to provide a single, combined package of assistance to support the medical and public health infrastructure needs of the Marshall Islands and believe that the negotiations should include discussion of the transition of the environmental monitoring program to the RMI.

The conference agreement includes $22,000,000 for program direction, a reduction of $1,293,000 from the budget request.

WORKER AND COMMUNITY TRANSITION

The conference agreement provides $20,000,000 for the worker and community transition program as proposed by the Senate. Funding of $900,000 has been provided for infrastructure improvements at the former Pinellas weapons plant.

The conference agreement provides that no funds may be used to augment the $20,000,000 made available for obligation for severance payments and other benefits and community assistance grants unless the Department of Energy submits a reprogramming request subject to approval by the appropriate Congressional committees.

NATIONAL SECURITY PROGRAMS ADMINISTRATIVE SUPPORT

The conference agreement provides $22,000,000 for national security programs administrative support instead of $25,000,000 as proposed by the House and the Senate.

OFFICE OF HEARINGS AND APPEALS

The conference agreement provides $2,893,000 for the Office of Hearings and Appeals, the same as the budget request.

FUNDING ADJUSTMENTS

Funding adjustments include a security charge for reimbursable work of $712,000 and a general reduction of $20,000,000. The general reduction should be applied to programs which have unobligated balances carried over from prior fiscal years and lower priority program activities.

DEFENSE NUCLEAR WASTE DISPOSAL

The conference agreement provides $280,000,000 for the defense contribution to the nuclear waste repository program instead of $310,000,000 as proposed by the House and $250,000,000 as proposed by the Senate.

POWER MARKETING ADMINISTRATIONS

BONNEVILLE POWER ADMINISTRATION FUND

The conference agreement does not incorporate Senate language providing new borrowing authority to the Bonneville Power Administration. No new direct loan obligations may be made during fiscal year 2002 as proposed by the House.

OPERATION AND MAINTENANCE, SOUTHEASTERN POWER ADMINISTRATION

The conference agreement includes $4,891,000, the same as the budget request, for the Southeastern Power Administration.

OPERATION AND MAINTENANCE, SOUTHWESTERN POWER ADMINISTRATION

The conference agreement includes $28,038,000, the same as the budget request, for the Southwestern Power Administration.

CONSTRUCTION, REHABILITATION, OPERATION AND MAINTENANCE, WESTERN AREA POWER ADMINISTRATION

The conference agreement provides $171,938,000, instead of $172,165,000 as proposed by the House and $169,465,000 as proposed by the Senate. The conference agreement does not include bill language proposed by the Senate earmarking funds for specific activities.

Of the amount appropriated, not less than $200,000 shall be provided for corridor review and environmental review required for construction of a 230 kv transmission line between Belfield and Hettinger, North Dakota. These funds shall be non-reimbursable. Within the amount appropriated, not less than $200,000 shall be provided for the Western Area Power Administration to conduct a technical analysis of the costs and feasibility of transmission expansion methods and technologies. These funds shall be non-reimbursable. Western shall publish a study by July 31, 2002, that contains a recommendation of the most cost-effective methods and technologies to enhance electricity transmission from lignite and wind energy.

The amount appropriated for construction and rehabilitation includes $2,700,000 to fund high priority portions of the South of Phoenix portion of the Parker-Davis Project transmission system. The Federal share of the upfront costs is to be recovered through the transmission rates of the Parker-Davis Project. Western should pursue additional funds from those utilities requiring additional transmission capacity, and the conferees expect that any funding received will be used to offset future appropriations requirements.

Funding of $6,000,000 is provided for the Utah Reclamation Mitigation and Conservation Account.

The conference agreement provides $109,378,000 for program direction, a reduction of $5,000,000 from the budget request.

FALCON AND AMISTAD OPERATING AND MAINTENANCE FUND

The conference agreement includes $2,663,000, the same as the budget request, for the Falcon and Amistad Operating and Maintenance Fund.

FEDERAL ENERGY REGULATORY COMMISSION

SALARIES AND EXPENSES

The conference agreement includes $184,155,000, a $3,000,000 increase over the budget request for the Federal Energy Regulatory Commission. The conference agreement also includes statutory language authorizing an additional five senior executive service positions for the Federal Energy Regulatory Commission. The conference agreement does not include bill language proposed by the House prohibiting the use of funds to authorize construction of the Gulfstream Natural Gas Project.

The conferees direct the Commission to submit a report to Congress by January 31, 2002, on the economic impacts on western utilities and ratepayers associated with the Commission's emergency order imposing price caps on daily spot power sales resulting from the inability of western load serving utilities to recover costs from daily sales of excess power from long-term forward contracts.

GENERAL PROVISIONS

DEPARTMENT OF ENERGY

Sec. 301. The conference agreement includes a provision proposed by the House that none of the funds may be used to award a management and operating contract unless such contract is awarded using competitive procedures, or the Secretary of Energy grants a waiver to allow for such a deviation. At least 60 days before the Secretary grants such a waiver, the Secretary must submit a report setting forth, in specificity, the substantive reasons why the requirement for competition should be waived. This language slightly modifies a provision carried in previous Energy and Water Development Appropriations Acts.

Sec. 302. The conference agreement includes a provision proposed by the House and Senate that none of the funds may be used to prepare or implement workforce restructuring plans or provide enhanced severance payments and other benefits and community assistance grants for Federal employees of the Department of Energy under section 3161 of the National Defense Authorization Act of Fiscal Year 1993, Public Law 102-484. This provision has been carried in previous Energy and Water Development Appropriations Acts.

Sec. 303. The conference agreement includes a provision proposed by the Senate that none of the funds may be used to augment the $20,000,000 made available for obligation for severance payments and other

benefits and community assistance grants unless the Department of Energy submits a reprogramming request subject to approval by the appropriate Congressional committees. This provision has been carried in previous Energy and Water Development Appropriations Acts.

Sec. 304. The conference agreement includes a provision proposed by the House and Senate that none of the funds may be used to prepare or initiate Requests for Proposals for a program if the program has not been funded by Congress in the current fiscal year. This provision also precludes the Department from initiating activities for new programs which have been proposed in the budget request, but which have not yet been funded by Congress. This provision has been carried in previous Energy and Water Development Appropriations Acts.

(TRANSFERS OF UNEXPENDED BALANCES)

Sec. 305. The conference agreement includes a provision proposed by the House and Senate that permits the transfer and merger of unexpended balances of prior appropriations with appropriation accounts established in this bill. This provision has been carried in previous Energy and Water Development Appropriations Acts.

Sec. 306. The conference agreement includes language proposed by the House prohibiting the Bonneville Power Administration from performing energy efficiency services outside the legally defined Bonneville service territory unless the Administrator certifies in advance that such services are not available from private sector businesses. This provision has been carried in previous Energy and Water Development Appropriations Acts.

Sec. 307. The conference agreement amends section 308 as proposed by the House regarding notice and competition required for Department of Energy user facilities.

Sec. 308. The conference agreement includes language limiting the types of waste that can be disposed of in the Waste Isolation Pilot Plant in New Mexico. None of the funds may be used to dispose of transuranic waste in excess of 20 percent plutonium by weight for the aggregate of any material category. At the Rocky Flats site, this provision includes ash residues; salt residues; wet residues; direct repackage residues; and scrub alloy as referenced in the ''Final Environmental Impact Statement on Management of Certain Plutonium Residues and Scrub Alloy Stored at the Rocky Flats Environmental Technology Site''. This provision has been carried in previous Energy and Water Development Appropriations Acts.

Sec. 309. The conference agreement includes language proposed by the Senate allowing the Administrator of the National Nuclear Security Administration to authorize certain nuclear weapons production plants to use not more than 2 percent of available funds for research, development and demonstration activities. This provision has been carried in previous Energy and Water Development Appropriations Acts.

Sec. 310. The conference agreement includes language proposed by the Senate allowing the Administrator of the National Nuclear Security Administration to authorize the manager of the Nevada Operations Office to use not more than 2 percent of available funds for research, development and demonstration activities necessary for operations and readiness of the Nevada Test Site.

Sec. 311. The conference agreement includes language proposed by the Senate amending section 1 of Public Law 105–204 pertaining to depleted uranium hexafluoride by extending the date to fiscal year 2005.

Sec. 312. The conference agreement modifies language proposed by the Senate prohibiting oil and gas drilling in the Finger Lakes National Forest, New York. No Federal permit or lease shall be issued during fiscal year 2002.

Provisions not adopted by the conference.—The conference agreement deletes section 307 of the House bill and section 306 of the Senate bill pertaining to LDRD.

The conference agreement deletes section 309 of the Senate bill allowing each Federal power marketing administration to engage in activities relating to the formation and operation of a regional transmission organization.

The conference agreement deletes section 312 of the Senate bill requiring the Secretary of Energy to conduct a study of alternative financing approaches for infrastructure and facility construction projects at the Department of Energy. This reporting requirement is addressed in the statement of the managers.

The conference agreement deletes section 313 of the Senate bill requiring the Secretary of Energy to implement certain reporting structures for the Paducah Gaseous Diffusion Plant in Kentucky. This requirement is addressed in the statement of the managers.

The conference agreement deletes section 314 of the Senate bill expressing the sense of the Senate on Yucca Mountain.

The conference agreement deletes section 315 of the Senate bill pertaining to consultations with the State of South Carolina on the disposition of plutonium. This issue is addressed in the statement of the managers.

CONFERENCE RECOMMENDATIONS

The conference agreement's detailed funding recommendations for programs in title III are contained in the following table.

Department of Energy (in thousands)

	Budget Request	Conference
ENERGY SUPPLY		
RENEWABLE ENERGY RESOURCES		
Renewable energy technologies		
Biomass/biofuels energy systems	81,955	93,000
Geothermal technology development	13,900	29,000
Hydrogen research	26,881	31,000
Hydropower	4,989	5,300
Solar energy	42,932	95,000
Wind energy systems	20,500	41,000
Total, Renewable energy technologies	191,157	294,300
Electric energy systems and storage	51,746	63,000
Renewable support and implementation		
Departmental energy management	1,000	1,500
International renewable energy program	2,500	3,000
Renewable energy production incentive program	3,991	4,000
Renewable Indian energy resources	---	3,000
Renewable program support	2,059	3,000
Total, Renewable support and implementation	9,550	14,500
National renewable energy laboratory	5,000	5,000
Program direction	19,200	19,200
TOTAL, RENEWABLE ENERGY RESOURCES	276,653	396,000
NUCLEAR ENERGY		
Advanced radioisotope power system	29,094	29,000
Isotopes		
Isotope support and production	24,683	23,683
Construction		
99-E-201 Isotope production facility (LANL)	2,494	2,494
Subtotal, Isotope support and production	27,177	26,177
Offsetting collections	-9,000	-9,000
Total, Isotopes	18,177	17,177
University reactor fuel assistance and support	11,974	17,500
Research and development		
Nuclear energy plant optimization	4,500	7,000
Nuclear energy research initiative	18,079	32,000
Nuclear energy technologies	4,500	12,000
Total, Research and development	27,079	51,000
Infrastructure		
ANL-West operations	34,107	35,357
Fast flux test facility (FFTF)	38,439	38,439

Department of Energy (in thousands)

	Budget Request	Conference
Test reactor area landlord	7,283	7,283
Construction		
99-E-200 Test reactor area electrical utility upgrade, Idaho National Engineering Laboratory, ID	950	950
95-E-201 Test reactor area fire and life safety improvements, Idaho National Engineering Laboratory, ID	500	500
Subtotal, Construction	1,450	1,450
Subtotal, Test reactor area landlord	8,733	8,733
Total, Infrastructure	81,279	82,529
Nuclear facilities management		
EBR-II shutdown	4,200	4,200
Disposition of spent fuel and legacy materials	16,267	16,200
Disposition technology activities	9,990	9,850
Total, Nuclear facilities management	30,457	30,250
Program direction	25,062	23,000
TOTAL, NUCLEAR ENERGY	223,122	250,456
ENVIRONMENT, SAFETY AND HEALTH		
Office of Environment, Safety and Health (non-defense)	14,973	10,973
Program direction	20,527	19,527
TOTAL, ENVIRONMENT, SAFETY AND HEALTH	35,500	30,500
ENERGY SUPPORT ACTIVITIES		
Technical information management program	1,600	1,400
Program direction	7,370	6,370
TOTAL, ENERGY SUPPORT ACTIVITIES	8,970	7,770
Subtotal, Energy supply	544,245	684,726
General reduction	---	-18,000
TOTAL, ENERGY SUPPLY	544,245	666,726
NON-DEFENSE ENVIRONMENTAL MANAGEMENT		
Site closure	43,000	43,000
Site/project completion	64,119	64,119

Department of Energy (in thousands)

	Budget Request	Conference
Post 2006 completion	120,053	125,753
Excess facilities	1,381	3,500
TOTAL, NON-DEFENSE ENVIRONMENTAL MANAGEMENT	228,553	236,372
URANIUM FACILITIES MAINTENANCE AND REMEDIATION		
Uranium Enrichment Decontamination and Decommissioning Fund		
Decontamination and decommissioning	241,641	298,641
Uranium/thorium reimbursement	1,000	1,000
Depleted UF6 conversion project	10,000	---
Total, Uranium enrichment D&D fund	252,641	299,641
Other Uranium Activities		
Maintenance and pre-existing liabilities	110,784	110,784
02-U-101 Depleted uranium hexafluoride conversion project, Paducah, KY and Portsmouth, OH	---	10,000
96-U-201 DUF6 cylinder storage yard, Paducah, KY	---	3,000
Total, Other uranium activities	110,784	123,784
Use of prior year balances	---	-5,000
TOTAL, URANIUM FACILITIES MAINTENANCE AND REMEDIATION	363,425	418,425
SCIENCE		
High energy physics		
Research and technology	247,870	247,870
Facility operations	456,830	456,830
Construction		
98-G-304 Neutrinos at the main injector, Fermilab	11,400	11,400
Subtotal, Facility operations	468,230	468,230
Total, High energy physics	716,100	716,100
Nuclear physics	360,510	360,510
Biological and environmental research	432,970	516,000
Construction		
01-E-300 Laboratory for Comparative and Functional Genomics, ORNL	10,000	11,405
Total, Biological and environmental research	442,970	527,405
Basic energy sciences		
Materials sciences	434,353	434,353
Chemical sciences	218,714	218,714
Engineering and geosciences	38,938	38,938
Energy biosciences	32,400	32,400

Department of Energy (in thousands)

	Budget Request	Conference
Construction		
02-SC-002 Project engineering and design (VL)	4,000	3,000
99-E-334 Spallation neutron source (ORNL)	276,300	276,300
Subtotal, Construction	280,300	279,300
Total, Basic energy sciences	1,004,705	1,003,705
Advanced scientific computing research	163,050	158,050
Energy research analyses	1,000	1,000
Multiprogram energy labs - facility support		
Infrastructure support	1,020	1,020
Oak Ridge landlord	7,359	7,359
Construction		
MEL-001 Multiprogram energy laboratory infrastructure projects, various locations	18,613	18,613
02-SC-001 Multiprogram energy laboratories, project engineering design, various locations	3,183	3,183
Subtotal, Construction	21,796	21,796
Total, Multiprogram energy labs - fac. support	30,175	30,175
Fusion energy sciences program	248,495	248,495
Facilities and infrastructure	---	10,000
Safeguards and security	55,412	55,412
Program direction		
Field offices	64,400	63,000
Headquarters	73,525	72,500
Science education	4,460	4,460
Total, Program direction	142,385	139,960
Subtotal, Science	3,164,802	3,250,812
General reduction	---	-12,800
Less security charge for reimbursable work	-4,912	-4,912
TOTAL, SCIENCE	3,159,890	3,233,100
NUCLEAR WASTE DISPOSAL		
Repository program	70,577	39,000
Program direction	64,402	56,000
TOTAL, NUCLEAR WASTE DISPOSAL	134,979	95,000

Department of Energy (in thousands)

	Budget Request	Conference
DEPARTMENTAL ADMINISTRATION		
Administrative operations		
Salaries and expenses		
Office of the Secretary	4,700	4,700
Board of contract appeals	911	911
Office of Management, Budget and Evaluation	---	107,000
Chief financial officer	36,464	---
Congressional and intergovernmental affairs	5,478	4,500
Economic impact and diversity	5,230	5,000
General counsel	23,058	22,724
International affairs	8,481	8,481
Management and administration	76,392	---
Policy office	6,649	6,600
Public affairs	4,581	3,900
Subtotal, Salaries and expenses	171,944	163,816
Program support		
Minority economic impact	1,498	1,200
Policy analysis and system studies	420	400
Environmental policy studies	919	600
Corporate management information program	---	5,000
Subtotal, Program support	2,837	7,200
Total, Administrative operations	174,781	171,016
Cost of work for others	71,837	71,837
Subtotal, Departmental Administration	246,618	242,853
Use of prior year balances and other adjustments	---	-10,000
Funding from other defense activities	-25,000	-22,000
Total, Departmental administration (gross)	221,618	210,853
Miscellaneous revenues	-137,810	-137,810
TOTAL, DEPARTMENTAL ADMINISTRATION (net)	83,808	73,043
OFFICE OF INSPECTOR GENERAL		
Office of Inspector General	31,430	32,430
ATOMIC ENERGY DEFENSE ACTIVITIES		
NATIONAL NUCLEAR SECURITY ADMINISTRATION		
WEAPONS ACTIVITIES		
Directed stockpile work		
Stockpile research and development	305,460	349,000
Stockpile maintenance	362,493	350,000
Stockpile evaluation	180,834	178,500
Dismantlement/disposal	35,414	27,000
Production support	152,890	134,896
Field engineering, training and manuals	6,700	6,418
Total, Directed stockpile work	1,043,791	1,045,814

Department of Energy (in thousands)

	Budget Request	Conference
Campaigns		
Science campaigns		
Primary certification	55,530	52,500
Dynamic materials properties	97,810	87,400
Advanced radiography	60,510	85,803
Secondary certification and nuclear systems margins	47,270	44,000
Subtotal, Science campaigns	261,120	269,703
Engineering campaigns		
Enhanced surety	34,797	37,000
Weapons system engineering certification	24,043	26,665
Nuclear survivability	19,050	23,694
Enhanced surveillance	82,333	82,333
Advanced design and production technologies	75,533	75,533
Subtotal, Engineering campaigns	235,756	245,225
Inertial confinement fusion and high yield	222,943	261,443
Construction		
96-D-111 National ignition facility, LLNL	245,000	245,000
Subtotal, Inertial confinement fusion	467,943	506,443
Advanced simulation and computing	711,185	675,000
Construction		
01-D-101 Distributed information systems laboratory, SNL, Livermore, CA	5,400	8,400
00-D-103, Terascale simulation facility, LLNL, Livermore, CA	5,000	22,000
00-D-105 Strategic computing complex, LANL, Los Alamos, NM	11,070	11,070
00-D-107 Joint computational engineering laboratory, SNL, Albuquerque, NM	5,377	13,377
Subtotal, Construction	26,847	54,847
Subtotal, Advanced simulation and computing	738,032	729,847
Pit manufacturing and certification	128,545	219,000
Readiness campaigns		
Secondary readiness	23,169	47,169
High explosives manufacturing and weapons assembly/disassembly readiness	3,960	6,846
Non-nuclear readiness	12,204	18,187
Materials readiness	1,209	1,209

Department of Energy (in thousands)

	Budget Request	Conference
Tritium readiness	43,350	42,350
Construction		
98-D-125 Tritium extraction facility, SR	81,125	81,125
Subtotal, Tritium readiness	124,475	123,475
Subtotal, Readiness campaigns	165,017	196,886
Total, Campaigns	1,996,413	2,167,104
Readiness in technical base and facilities		
Operations of facilities	830,427	897,800
Program readiness	188,126	192,000
Special projects	64,493	60,385
Material recycle and recovery	101,311	90,310
Containers	8,199	8,199
Storage	10,643	10,643
Nuclear weapons incident response	89,125	88,923
Subtotal, Readiness in technical base and fac	1,292,324	1,348,260
Construction		
02-D-103 Project engineering and design, various locations	9,180	22,830
02-D-105 Engineering technology complex upgrade, LLNL	---	4,750
02-D-107 Electrical power systems safety communications and bus upgrades, NV	3,507	3,507
01-D-103 Project engineering and design (PE&D), various locations	45,379	16,379
01-D-107 Atlas relocation, Nevada test site	---	3,300
01-D-108 Microsystems and engineering sciences applications complex (MESA), SNL	2,000	67,000
01-D-124 HEU storage facility, Y-12 plant, Oak Ridge, TN	9,500	---
01-D-126 Weapons Evaluation Test Laboratory Pantex Plant, Amarillo, TX	7,700	7,700
01-D-800 Sensitive compartmented information facility, LLNL	12,993	12,993
99-D-103 Isotope sciences facilities, LLNL, Livermore, CA	4,400	4,400
99-D-104 Protection of real property (roof reconstruction-Phase II), LLNL, Livermore, CA	2,800	2,800
99-D-106 Model validation & system certification center, SNL, Albuquerque, NM	4,955	4,955
99-D-108 Renovate existing roadways, Nevada Test Site, NV	---	2,000

Department of Energy (in thousands)

	Budget Request	Conference
99-D-125 Replace boilers and controls, Kansas City plant, Kansas City, MO	300	300
99-D-127 Stockpile management restructuring initiative, Kansas City plant, Kansas City, MO	22,200	22,200
99-D-128 Stockpile management restructuring initiative, Pantex consolidation, Amarillo, TX	3,300	3,300
98-D-123 Stockpile management restructuring initiative, Tritium factory modernization and consolidation, Savannah River, SC	13,700	13,700
98-D-124 Stockpile management restructuring initiative, Y-12 consolidation, Oak Ridge, TN	6,850	6,850
97-D-123 Structural upgrades, Kansas City plant, Kansas City, KS	3,000	3,000
96-D-102 Stockpile stewardship facilities revitalization (Phase VI), various locations	2,900	2,900
Subtotal, Construction	154,664	204,864
Total, Readiness in technical base and facilities	1,446,988	1,553,124
Facilities and infrastructure	---	200,000
Secure transportation asset		
Operations and equipment	77,571	79,071
Program direction	44,229	44,229
Total, Secure transportation asset	121,800	123,300
Safeguards and security	439,281	439,281
Construction		
99-D-132 SMRI nuclear material safeguards and security upgrade project (LANL), Los Alamos, NM	9,600	9,600
Total, Safeguards and security	448,881	448,881
Subtotal, Weapons activities	5,057,873	5,538,223
Program direction (transferred to Office of the Administrator)	271,137	---
General reduction	---	-80,000
Less security charge for reimbursable work	-28,985	-28,985
TOTAL, WEAPONS ACTIVITIES	5,300,025	5,429,238

Department of Energy (in thousands)

	Budget Request	Conference
DEFENSE NUCLEAR NONPROLIFERATION		
Nonproliferation and verification, R&D	170,296	208,500
Construction		
00-D-192 Nonproliferation and international security center (NISC), LANL	35,806	35,806
Total, Nonproliferation and verification, R&D	206,102	244,306
Arms control	101,500	75,741
Nonproliferation programs with Russia		
International materials protection, control, and accounting	138,800	173,000
Russian transition initiative	---	42,000
HEU transparency implementation	13,950	13,950
International nuclear safety	13,800	10,000
Fissile materials disposition		
U.S. surplus materials disposition	130,089	135,089
Russian surplus materials disposition	57,000	61,000
Construction		
01-D-407 Highly enriched uranium (HEU) blend dow Savannah River, SC	24,000	29,340
99-D-141 Pit disassembly and conversion facility various locations	16,000	11,000
99-D-143 Mixed oxide fuel fabrication facility various locations	63,000	65,993
Subtotal, Construction	103,000	106,333
Subtotal, Fissile materials disposition	290,089	302,422
Total, Nonproliferation programs with Russia	456,639	541,372
Subtotal, Defense nuclear nonproliferation	764,241	861,419
Program direction (transferred to Office of the Administrator)	51,459	---
Use of prior year balances	-42,000	-57,833
TOTAL, DEFENSE NUCLEAR NONPROLIFERATION	773,700	803,586
NAVAL REACTORS		
Naval reactors development	652,245	652,245
Construction		
01-D-200 Major office replacement building, Schenectady, NY	9,000	9,000
90-N-102 Expended core facility dry cell project, Naval Reactors Facility, ID	4,200	4,200
Subtotal, Construction	13,200	13,200
Total, Naval reactors development	665,445	665,445

Department of Energy (in thousands)

	Budget Request	Conference
Program direction	22,600	22,600
TOTAL, NAVAL REACTORS	688,045	688,045
OFFICE OF THE ADMINISTRATOR		
Office of the Administrator	15,000	312,596
Transferred from other accounts	(322,596)	---
Total, Program level	337,596	312,596
TOTAL, OFFICE OF THE ADMINISTRATOR	337,596	312,596
TOTAL, NATIONAL NUCLEAR SECURITY ADMINISTRATION	6,776,770	7,233,465
DEFENSE ENVIRONMENTAL RESTORATION AND WASTE MGMT.		
Site/project completion		
Operation and maintenance	872,030	960,330
Construction		
02-D-402 Intec cathodic protection system expansion project, INEEL, Idaho Falls, ID	3,256	3,256
02-D-420 Plutonium packaging and stabilization, Savannah River	---	20,000
01-D-414 Preliminary project, engineering and design (PE&D), various locations	6,254	2,754
99-D-402 Tank farm support services, F&H area, Savannah River site, Aiken, SC	5,040	5,040
99-D-404 Health physics instrumentation laboratory (INEL), ID	2,700	2,700
98-D-453 Plutonium stabilization and handling system for PFP, Richland, WA	1,910	1,910
96-D-471 CFC HVAC/chiller retrofit, Savannah River site, Aiken, SC	4,244	4,244
92-D-140 F&H canyon exhaust upgrades, Savannah River, SC	15,790	---
86-D-103 Decontamination and waste treatment facility (LLNL), Livermore, CA	762	762
Subtotal, Construction	39,956	40,666
Total, Site/project completion	911,986	1,000,996
Post 2006 completion		
Operation and maintenance	1,680,979	2,105,479
Uranium enrichment D&D fund contribution	420,000	420,000
Construction		
93-D-187 High-level waste removal from filled waste tanks, Savannah River, SC	6,754	6,754

Department of Energy (in thousands)

	Budget Request	Conference
Office of River Protection		
Operation and maintenance	272,151	328,151
Construction		
01-D-416 Hanford waste treatment plant, Richland, WA	500,000	665,000
97-D-402 Tank farm restoration and safe operations, Richland, WA	33,473	33,473
94-D-407 Initial tank retrieval systems, Richland, WA	6,844	6,844
Subtotal, Construction	540,317	705,317
Subtotal, Office of River Protection	812,468	1,033,468
Total, Post 2006 completion	2,920,201	3,565,701
Science and technology	196,000	255,768
Excess facilities	1,300	5,000
Safeguards and security	205,621	205,621
Program direction	355,761	355,761
Subtotal, Defense environmental management	4,590,869	5,388,847
Use of prior year balances	-36,770	-56,770
General reduction	---	-92,110
Less security charge for reimbursable work	-5,391	-5,391
TOTAL, DEFENSE ENVIRON. RESTORATION AND WASTE MGMT	4,548,708	5,234,576
DEFENSE FACILITIES CLOSURE PROJECTS		
Site closure	1,004,636	1,038,903
Safeguards and security	45,902	53,975
TOTAL, DEFENSE FACILITIES CLOSURE PROJECTS	1,050,538	1,092,878
DEFENSE ENVIRONMENTAL MANAGEMENT PRIVATIZATION		
Privatization initiatives, various locations	141,537	153,537
TOTAL, DEFENSE ENVIRONMENTAL MANAGEMENT	5,740,783	6,480,991
OTHER DEFENSE ACTIVITIES		
Other national security programs		
Security and emergency operations		
Nuclear safeguards and security	121,188	116,500
Security investigations	44,927	44,927
Corporate management information program	20,000	10,000
Program direction	83,135	79,000
Subtotal, Security and emergency operations	269,250	250,427

Department of Energy (in thousands)

	Budget Request	Conference
Intelligence	40,844	40,844
Counterintelligence	46,389	46,000
Advanced accelerator applications	---	50,000
Independent oversight and performance assurance		
Program direction	14,904	14,904
Environment, safety and health (Defense)	91,307	95,688
Program direction - EH	23,293	22,000
Subtotal, Environment, safety & health (Defense)	114,600	117,688
Worker and community transition	21,246	18,000
Program direction - WT	3,200	2,000
Subtotal, Worker and community transition	24,446	20,000
National Security programs administrative support	25,000	22,000
Office of hearings and appeals	2,893	2,893
Subtotal, Other defense activities	538,326	564,756
Use of prior year balances	-10,000	-20,000
Less security charge for reimbursable work	-712	-712
TOTAL, OTHER DEFENSE ACTIVITIES	527,614	544,044
DEFENSE NUCLEAR WASTE DISPOSAL		
Defense nuclear waste disposal	310,000	280,000
TOTAL, ATOMIC ENERGY DEFENSE ACTIVITIES	13,355,167	14,538,500
POWER MARKETING ADMINISTRATIONS		
SOUTHEASTERN POWER ADMINISTRATION		
Operation and maintenance		
Purchase power and wheeling	34,463	34,463
Program direction	4,891	4,891
Subtotal, Operation and maintenance	39,354	39,354
Offsetting collections	-34,463	-8,000
Offsetting collections (P.L. 106-377)	---	-26,463
TOTAL, SOUTHEASTERN POWER ADMINISTRATION	4,891	4,891
SOUTHWESTERN POWER ADMINISTRATION		
Operation and maintenance		
Operating expenses	3,339	3,339
Purchase power and wheeling	1,800	1,800
Program direction	18,668	18,668
Construction	6,031	6,031
Subtotal, Operation and maintenance	29,838	29,838
Offsetting collections	-1,800	-1,512
Offsetting collections (P.L. 106-377)	---	-288
TOTAL, SOUTHWESTERN POWER ADMINISTRATION	28,038	28,038

Department of Energy (in thousands)

	Budget Request	Conference
WESTERN AREA POWER ADMINISTRATION		
Operation and maintenance		
Construction and rehabilitation	16,064	18,764
System operation and maintenance	37,796	37,796
Purchase power and wheeling	186,124	186,124
Program direction	114,378	109,378
Utah mitigation and conservation	1,227	6,000
Subtotal, Operation and maintenance	355,589	358,062
Offsetting collections	-186,124	-152,624
Offsetting collections (P.L. 106-377)	---	-33,500
TOTAL, WESTERN AREA POWER ADMINISTRATION	169,465	171,938
FALCON AND AMISTAD OPERATING AND MAINTENANCE FUND		
Operation and maintenance	2,663	2,663
TOTAL, POWER MARKETING ADMINISTRATIONS	205,057	207,530
FEDERAL ENERGY REGULATORY COMMISSION		
Federal energy regulatory commission	181,155	184,155
FERC revenues	-181,155	-184,155
TOTAL, FEDERAL ENERGY REGULATORY COMMISSION	---	---
GRAND TOTAL, DEPARTMENT OF ENERGY	18,106,554	19,501,126
ENERGY AND WATER DEVELOPMENT ACCOUNTS		
Energy programs:		
Energy supply	544,245	666,726
Non-defense environmental management	228,553	236,372
Uranium facilities maintenance and remediation	363,425	418,425
Science	3,159,890	3,233,100
Nuclear waste disposal	134,979	95,000
Departmental administration	221,618	210,853
Revenues	-137,810	-137,810
Total, Departmental administration	83,808	73,043
Office of the Inspector General	31,430	32,430
Total, Energy programs	4,546,330	4,755,096
Environmental restoration and waste management:		
Defense function	(5,740,783)	(6,480,991)
Non-defense function	(591,978)	(654,797)
Total, Environmental restoration and waste mgmt	(6,332,761)	(7,135,788)

Department of Energy (in thousands)

	Budget Request	Conference
Atomic energy defense activities:		
National Nuclear Security Administration:		
Weapons activities	5,300,025	5,429,238
Defense nuclear nonproliferation	773,700	803,586
Naval reactors	688,045	688,045
Office of the Administrator	15,000	312,596
Subtotal, National Nuclear Security Admin	6,776,770	7,233,465
Defense environmental restoration and waste mgmt	4,548,708	5,234,576
Defense facilities closure projects	1,050,538	1,092,878
Defense environmental management privatization	141,537	153,537
Subtotal, Defense environmental management	5,740,783	6,480,991
Other defense activities	527,614	544,044
Defense nuclear waste disposal	310,000	280,000
Total, Atomic energy defense activities	13,355,167	14,538,500
Power marketing administrations:		
Southeastern Power Administration	4,891	4,891
Southwestern Power Administration	28,038	28,038
Western Area Power Administration	169,465	171,938
Falcon and Amistad operating and maintenance fund	2,663	2,663
Total, Power marketing administrations	205,057	207,530
Federal Energy Regulatory Commission:		
Salaries and expenses	181,155	184,155
Revenues	-181,155	-184,155
Total, Federal Energy Regulatory Commission	---	---
Defense Nuclear Waste Disposal (rescission)	---	---
Defense environmental privatization (rescission)	---	---
TOTAL, ENERGY AND WATER DEVELOPMENT ACCOUNTS	18,106,554	19,501,126

TITLE IV

INDEPENDENT AGENCIES

APPALACHIAN REGIONAL COMMISSION

The conference agreement includes $71,290,000 for the Appalachian Regional Commission as proposed by the House instead of $66,290,000 as proposed by the Senate. The conferees support the Appalachian-Turkish Trade Project to promote trade and investment opportunities. Funding of $5,000,000 has been provided for a child development research center at the University of Alabama.

From within available funds, the conferees have provided $250,000 for the University of Georgia to conduct a study to determine the feasibility of creating a commission to carry out a comprehensive program of economic and human resource development of the so-called Black Belt Region.

DEFENSE NUCLEAR FACILITIES SAFETY BOARD

SALARIES AND EXPENSES

The conference agreement includes $18,500,000 for the Defense Nuclear Facilities Safety Board as proposed by the House and Senate.

DELTA REGIONAL AUTHORITY

SALARIES AND EXPENSES

The conference agreement includes $10,000,000 for the Delta Regional Authority instead of $20,000,000 as proposed by the Senate and no funding as proposed by the House. The conferees expect the Authority to submit quarterly financial reports providing detailed accounting data on the expenditure of funds during fiscal year 2002 and thereafter. The conferees also expect to receive from the Authority a detailed budget justification if funds are requested in fiscal year 2003.

DENALI COMMISSION

The conference agreement includes $38,000,000 for the Denali Commission instead of $40,000,000 as proposed by the Senate and no funding as proposed by the House. The conferees expect the Denali Commission to submit quarterly financial reports providing detailed accounting data on the expenditure of funds during fiscal year 2002 and thereafter. The conferees also expect to receive from the Commission a detailed budget justification if funds are requested in fiscal year 2003.

NUCLEAR REGULATORY COMMISSION

SALARIES AND EXPENSES

The conference agreement includes $516,900,000 as proposed by the House and the Senate, to be offset by revenues of $473,520,000, as proposed by the House, for a net appropriation of $43,380,000. This reflects the statutory language adopted by the conference in the prior fiscal year to reduce the fee recovery requirement to 96 percent in fiscal year 2002. The conference amount provides an increase of $10,000,000 over the budget request, with the standard formula for fee recovery being applied to this added increment of funding.

The conference agreement includes language prohibiting the implementation or enforcement of the revised 10 C.F.R. Part 35, as adopted by the Nuclear Regulatory Commission on October 23, 2000, with respect to diagnostic nuclear medicine, except for those parts of the new rule which establish revised training and experience requirements for persons seeking licensing as authorized users, until after the Commission has provided a report to the House and Senate Committees on Appropriations explaining why the regulatory burden could not be reduced further in the new rule without adversely affecting public health and safety. The conferees direct the Commission to submit this report not later than January 31, 2002. The language included in the conference agreement is only an interim measure until a more permanent solution can be reached, either by the authorization committees or through a revised rulemaking.

OFFICE OF INSPECTOR GENERAL

The conference agreement includes $6,180,000 as proposed by the House, to be offset by revenues of $5,933,000, for a net appropriation of $247,000. This reflects the statutory language adopted by the conference in the prior fiscal year to reduce the fee recovery requirement to 96 percent in fiscal year 2002.

NUCLEAR WASTE TECHNICAL REVIEW BOARD

SALARIES AND EXPENSES

The conference agreement provides $3,100,000 as proposed by the House instead of $3,500,000 as proposed by the Senate.

TITLE V

GENERAL PROVISIONS

Sec. 501. The conference agreement includes language directing that none of the funds in this Act may be used in any way, directly or indirectly, to influence congressional action on any legislation or appropriation matters pending before Congress, other than to communicate to Members of Congress as described in section 1913 of title 18, United States Code. This provision has been carried in previous Energy and Water Development Appropriations Acts.

Sec. 502. The conference agreement includes language regarding the purchase of American-made equipment and products, and prohibiting contracts with persons falsely labeling products as made in America. This provision has been carried in previous Energy and Water Development Appropriations Acts.

Sec. 503. The conference agreement modifies language proposed by the Senate to require the Secretary of the Army to conduct a study on the environmental effects of oil and gas drilling in the Great Lakes and prohibit Federal and State issuance of permits or leases for new drilling from October 1, 2001 through September 30, 2003.

Provisions not adopted.—The conference agreement deletes Section 503 of the House bill providing that no funds may be used to determine the final point of discharge for the interceptor drain for the San Luis Unit of the Central Valley Project until certain conditions are met. This provision has been moved to Title II of the bill as proposed by the Senate.

The conference agreement deletes Section 505 of the House bill pertaining to the Buy American Act.

The conference agreement deletes Section 506 of the House bill prohibiting the use of funds to drill for gas and oil in the Mosquito Creek Reservoir in Ohio.

CONFERENCE TOTAL—WITH COMPARISONS

The total new budget (obligational) authority for the fiscal year 2002 recommended by the Committee of Conference, with comparisons to the fiscal year 2001 amount, the 2002 budget estimates, and the House and Senate bills for 2002 follow:

[In thousands of dollars]

New budget (obligational) authority, fiscal year 2001	$24,512,565
Budget estimates of new (obligational) authority, fiscal year 2002	23,008,002
House bill, fiscal year 2002	24,195,000
Senate bill, fiscal year 2002	25,448,837
Conference agreement, fiscal year 2002	25,086,000
Conference agreement compared with:	
New budget (obligational) authority, fiscal year 2001	+573,435
Budget estimates of new (obligational) authority, fiscal year 2002	+2,077,998
House bill, fiscal year 2002	+891,000
Senate bill, fiscal year 2002	−362,837

SONNY CALLAHAN,
HAROLD ROGERS,
RODNEY P. FRELINGHUYSEN,
TOM LATHAM,
ROGER F. WICKER,
ZACH WAMP,
JO ANN EMERSON,
JOHN T. DOOLITTLE,
BILL YOUNG,
PETER J. VISCLOSKY,
ED PASTOR,
JAMES E. CLYBURN,
LUCILLE ROYBAL-ALLARD,
Managers on the Part of the House.

PETE V. DOMENICI,
THAD COCHRAN,
MITCH MCCONNELL,
ROBERT F. BENNETT,
CONRAD BURNS,
LARRY CRAIG,
TED STEVENS,
HARRY REID,
ROBERT C. BYRD,
FRITZ HOLLINGS,
PATTY MURRAY,
BYRON L. DORGAN,
DIANNE FEINSTEIN,
TOM HARKIN,
DANIEL K. INOUYE,
Managers on the Part of the Senate.

CONFERENCE REPORT ON H.R. 2647, LEGISLATIVE BRANCH APPROPRIATIONS ACT, 2002

Mr. SHERWOOD submitted the following conference report and statement on the bill (H.R. 2647) making appropriations for the Legislative Branch for the fiscal year ending September 30, 2002, and for other purposes:

CONFERENCE REPORT (H. REPT. 107–259)

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 2647) ''making appropriations for the Legislative Branch for the fiscal year ending September 30, 2002, 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 House recede from its disagreement to the amendment of the Senate numbered 5.

Amendment numbered 1:

That the House recede from its disagreement to the amendment of the Senate numbered 1, and agree to the same with an amendment, as follows:

In lieu of the matter proposed by said amendment, insert:

That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the Legislative Branch for the fiscal year ending September 30, 2002, and for other purposes, namely:

TITLE I—CONGRESSIONAL OPERATIONS

SENATE

EXPENSE ALLOWANCES

For expense allowances of the Vice President, $10,000; the President Pro Tempore of the Senate, $10,000; Majority Leader of the Senate, $10,000; Minority Leader of the Senate, $10,000; Majority Whip of the Senate, $5,000; Minority Whip of the Senate, $5,000; and Chairmen of the Majority and Minority Conference Committees,

$3,000 for each Chairman; and Chairmen of the Majority and Minority Policy Committees, $3,000 for each Chairman; in all, $62,000.

REPRESENTATION ALLOWANCES FOR THE MAJORITY AND MINORITY LEADERS

For representation allowances of the Majority and Minority Leaders of the Senate, $15,000 for each such Leader; in all, $30,000.

SALARIES, OFFICERS AND EMPLOYEES

For compensation of officers, employees, and others as authorized by law, including agency contributions, $104,039,000, which shall be paid from this appropriation without regard to the below limitations, as follows:

OFFICE OF THE VICE PRESIDENT

For the Office of the Vice President, $1,867,000.

OFFICE OF THE PRESIDENT PRO TEMPORE

For the Office of the President Pro Tempore, $473,000.

OFFICES OF THE MAJORITY AND MINORITY LEADERS

For Offices of the Majority and Minority Leaders, $2,868,000.

OFFICES OF THE MAJORITY AND MINORITY WHIPS

For Offices of the Majority and Minority Whips, $1,912,000.

COMMITTEE ON APPROPRIATIONS

For salaries of the Committee on Appropriations, $9,875,000.

CONFERENCE COMMITTEES

For the Conference of the Majority and the Conference of the Minority, at rates of compensation to be fixed by the Chairman of each such committee, $1,250,000 for each such committee; in all, $2,500,000.

OFFICES OF THE SECRETARIES OF THE CONFERENCE OF THE MAJORITY AND THE CONFERENCE OF THE MINORITY

For Offices of the Secretaries of the Conference of the Majority and the Conference of the Minority, $618,000.

POLICY COMMITTEES

For salaries of the Majority Policy Committee and the Minority Policy Committee, $1,275,000 for each such committee; in all, $2,550,000.

OFFICE OF THE CHAPLAIN

For Office of the Chaplain, $301,000.

OFFICE OF THE SECRETARY

For Office of the Secretary, $15,424,000.

OFFICE OF THE SERGEANT AT ARMS AND DOORKEEPER

For Office of the Sergeant at Arms and Doorkeeper, $39,082,000.

OFFICES OF THE SECRETARIES FOR THE MAJORITY AND MINORITY

For Offices of the Secretary for the Majority and the Secretary for the Minority, $1,350,000.

AGENCY CONTRIBUTIONS AND RELATED EXPENSES

For agency contributions for employee benefits, as authorized by law, and related expenses, $25,219,000.

OFFICE OF THE LEGISLATIVE COUNSEL OF THE SENATE

For salaries and expenses of the Office of the Legislative Counsel of the Senate, $4,306,000.

OFFICE OF SENATE LEGAL COUNSEL

For salaries and expenses of the Office of Senate Legal Counsel, $1,109,000.

EXPENSE ALLOWANCES OF THE SECRETARY OF THE SENATE, SERGEANT AT ARMS AND DOORKEEPER OF THE SENATE, AND SECRETARIES FOR THE MAJORITY AND MINORITY OF THE SENATE

For expense allowances of the Secretary of the Senate, $3,000; Sergeant at Arms and Doorkeeper of the Senate, $3,000; Secretary for the Majority of the Senate, $3,000; Secretary for the Minority of the Senate, $3,000; in all, $12,000.

CONTINGENT EXPENSES OF THE SENATE

INQUIRIES AND INVESTIGATIONS

For expenses of inquiries and investigations ordered by the Senate, or conducted pursuant to section 134(a) of Public Law 601, Seventy-ninth Congress, as amended, section 112 of Public Law 96–304 and Senate Resolution 281, agreed to March 11, 1980, $107,264,000.

EXPENSES OF THE UNITED STATES SENATE CAUCUS ON INTERNATIONAL NARCOTICS CONTROL

For expenses of the United States Senate Caucus on International Narcotics Control, $520,000.

SECRETARY OF THE SENATE

For expenses of the Office of the Secretary of the Senate, $8,571,000, of which $7,000,000 shall remain available until expended.

SERGEANT AT ARMS AND DOORKEEPER OF THE SENATE

For expenses of the Office of the Sergeant at Arms and Doorkeeper of the Senate, $95,904,000, of which $8,654,000 shall remain available until September 30, 2004, and of which $11,354,000 shall remain available until expended.

MISCELLANEOUS ITEMS

For miscellaneous items, $14,274,000, of which not more than $3,000,000 may be made available for mailings of postal patron postcards by Senators for the purpose of providing notice of a town meeting by a Senator in a county (or equivalent unit of local government) that the Senator will personally attend: Provided, That no funds for the purpose of such mailings shall be made available until the date of enactment of a statute authorizing the expenditure of funds for such purpose.

SENATORS' OFFICIAL PERSONNEL AND OFFICE EXPENSE ACCOUNT

For Senators' Official Personnel and Office Expense Account, $270,494,000.

OFFICIAL MAIL COSTS

For expenses necessary for official mail costs of the Senate, $300,000.

ADMINISTRATIVE PROVISIONS

SEC. 101. (a) Section 101(a) of the Supplemental Appropriations Act, 1977 (2 U.S.C. 61h–6(a)) is amended in the first sentence by striking ''four individual consultants'' and inserting ''six individual consultants'', and is amended in the second sentence by striking ''one consultant'' and inserting ''not more than two individual consultants''.

(b) This section shall apply with respect to fiscal year 2002 and each fiscal year thereafter.

SEC. 102. STUDENT LOAN REPAYMENT PROGRAM. (a) DEFINITIONS.—In this section:

(1) COMMITTEE.—The term ''Committee'' means the Committee on Rules and Administration of the Senate.

(2) ELIGIBLE EMPLOYEE.—

(A) IN GENERAL.—Except as provided in subparagraph (B), the term ''eligible employee'' means an individual—

(i) who is an employee of the Senate; and

(ii) whose rate of pay as an employee of the Senate, on the date on which such eligibility is determined, does not exceed the rate of basic pay for an employee for a position at ES–1 of the Senior Executive Schedule as provided for in subchapter VIII of chapter 53 of title 5, United States Code (including any locality pay adjustment applicable to the Washington, D.C.-Baltimore Maryland consolidated metropolitan statistical area).

(3) EMPLOYEE OF THE SENATE.—The term ''employee of the Senate'' has the meaning given the term in section 101 of the Congressional Accountability Act of 1995 (2 U.S.C. 1301).

(4) EMPLOYING OFFICE.—The term ''employing office'' means the employing office, as defined in section 101 of the Congressional Accountability Act of 1995 (2 U.S.C. 1301), of an employee of the Senate.

(5) SECRETARY.—The term ''Secretary'' means the Secretary of the Senate.

(6) STUDENT LOAN.—The term ''student loan'' means—

(A) a loan made, insured, or guaranteed under part B, D, or E of title IV of the Higher Education Act of 1965 (20 U.S.C. 1071 et seq., 1087a et seq., or 1087aa et seq.); and

(B) a health education assistance loan made or insured under part A of title VII of the Public Health Service Act (42 U.S.C. 292 et seq.), or under part E of title VIII of such Act (42 U.S.C. 297a et seq.).

(b) SENATE STUDENT LOAN REPAYMENT PROGRAM.—

(1) SERVICE AGREEMENTS.—

(A) IN GENERAL.—The head of an employing office and an eligible employee may enter into a written service agreement under which—

(i) the employing office shall agree to repay, by direct payments on behalf of the eligible employee, any student loan indebtedness of the eligible employee that is outstanding at the time the eligible employee and the employing office enter into the agreement, subject to this section; and

(ii) the eligible employee shall agree to complete the 1-year required period of employment described in subsection (c)(1) with the employing office in exchange for the student loan payments.

(B) CONTENTS OF SERVICE AGREEMENTS.—

(i) CONTENTS.—A service agreement under this paragraph shall contain—

(I) the start and end dates of the required period of employment covered by the agreement;

(II) the monthly amount of the student loan payments to be provided by the employing office;

(III) the employee's agreement to reimburse the Senate under the conditions set forth in subsection (d)(1);

(IV) disclosure of the program limitations provided for in subsection (d)(4) and paragraphs (2), (3), (6), and (7) of subsection (f);

(V) other terms to which the employing office and employee agree (such as terms relating to job responsibilities or job performance expectations); and

(VI) any other terms prescribed by the Secretary.

(ii) STANDARD SERVICE AGREEMENTS.—The Secretary shall establish standard service agreements for employing offices to use in carrying out this section.

(2) SUBMISSION OF AGREEMENTS.—On entering into a service agreement under this section, the employing office shall submit a copy of the service agreement to the Secretary.

(c) PROGRAM CONDITIONS.—

(1) PERIOD OF EMPLOYMENT.—The term of the required period of employment under a service agreement under this section shall be 1 year. On completion of the required period of employment under such a service agreement, the eligible employee and the employing office may enter into additional service agreements for successive 1-year periods of employment.

(2) AMOUNT OF PAYMENTS.—

(A) IN GENERAL.—The amount of student loan payments made under service agreements under this section on behalf of an eligible employee may not exceed—

(i) $500 in any month; or

(ii) a total of $40,000.

(B) PAYMENTS INCLUDED IN GROSS COMPENSATION LIMITATIONS.—Any student loan payment made under this section in any month may not result in the sum of the payment and the compensation of an employee for that month exceeding 1/12th of the applicable annual maximum gross compensation limitation under section 105(d)(2), (e), or (f) of the Legislative Branch Appropriation Act, 1968 (2 U.S.C. 61–1(d)(2), (e), or (f)).

(3) TIMING OF PAYMENTS.—Student loan payments made under this section under a service agreement shall begin the first day of the pay period after the date on which the agreement is signed and received by the Secretary, and shall be made on a monthly basis.

(d) LOSS OF ELIGIBILITY FOR STUDENT LOAN PAYMENTS AND OBLIGATION TO REIMBURSE.—

(1) IN GENERAL.—An employee shall not be eligible for continued student loan payments under a service agreement under this section and (except in a case in which an employee's duty is terminated under paragraph (2) or an employing office assumes responsibilities under paragraph (3)) shall reimburse the Senate for the amount of all student loan payments made on behalf of the employee under the agreement, if, before the employee completes the required period of employment specified in the agreement—

(A) the employee voluntarily separates from service with the employing office;

(B) the employee engages in misconduct or does not maintain an acceptable level of performance, as determined by the head of the employing office; or

(C) the employee violates any condition of the agreement.

(2) TERMINATION OF AGREEMENT.—The duty of an eligible employee to fulfill the required period of employment under the service agreement shall be terminated if—

(A) funds are not made available to cover the cost of the student loan repayment program carried out under this section; or

(B) the employee and the head of the employing office involved mutually agree to terminate the service agreement under subsection (f)(7).

(3) ANOTHER EMPLOYING OFFICE.—An employing office who hires an eligible employee during a required period of employment under such a service agreement may assume the remaining obligations (as of the date of the hiring) of the employee's prior employing office under the agreement.

(4) FAILURE OF EMPLOYEE TO REIMBURSE.—If an eligible employee fails to reimburse the Senate for the amount owed under paragraph (1), such amount shall be collected—

(A) under section 104(c) of the Legislative Appropriation Act, 1977 (2 U.S.C. 60c–2a(c)) or section 5514 of title 5, United States Code, if the eligible employee is employed by any other office of the Senate or agency of the Federal Government; or

(B) under other applicable provisions of law if the eligible employee is not employed by any other office of the Senate or agency of the Federal Government.

(5) CREDITING OF AMOUNTS.—Any amount repaid by, or recovered from, an eligible employee under this section shall be credited to the subaccount for the employing office from which the amount involved was originally paid. Any amount so credited shall be merged with other sums in such subaccount for the employing office and shall be available for the same purposes, and subject to the same limitations (if any), as the sums with which such amount is merged.

(e) RECORDS AND REPORTS.—

(1) IN GENERAL.—Not later than January 1, 2003, and each January 1 thereafter, the Secretary shall prepare and submit to the Committee on Rules and Administration of the Senate and the Committee on Appropriations of the Senate, a report for the fiscal year preceding the fiscal year in which the report is submitted, that contains information specifying—

(A) the number of eligible employees that received student loan payments under this section; and

(B) the costs of such payments, including—

(i) the amount of such payments made for each eligible employee;

(ii) the amount of any reimbursement amounts for early separation from service or whether any waivers were provided with respect to such reimbursements; and

(iii) any other information determined to be relevant by the Committee on Rules and Administration of the Senate or the Committee on Appropriations of the Senate.

(2) CONFIDENTIALITY.—Such report shall not include any information which is considered confidential or could disclose the identify of individual employees or employing offices. Information required to be contained in the report of the Secretary under section 105(a) of the Legislative Branch Act, 1965 (2 U.S.C. 104a) shall not be considered to be personal information for purposes of this paragraph.

(f) OTHER ADMINISTRATIVE MATTERS.—

(1) ACCOUNT.—

(A) IN GENERAL.—The Secretary shall establish and maintain a central account from which student loan payments available under this section shall be paid on behalf of eligible employees.

(B) OFFICE SUBACCOUNTS.—The Secretary shall ensure that, within the account established under subparagraph (A), a separate subaccount is established for each employing office to be used by each such office to make student loan payments under this section. Such student loan payments shall be made from any funds available to the employing office for student loan payments that are contained in the subaccount for the office.

(C) LIMITATION.—Amounts in each subaccount established under this paragraph shall not be made available for any purpose other than to make student loan payments under this section.

(2) BEGINNING OF PAYMENTS.—Student loan payments may begin under this section with respect to an eligible employee upon—

(A) the receipt by the Secretary of a signed service agreement; and

(B) verification by the Secretary with the holder of the loan that the eligible employee has an outstanding student loan balance that qualifies for payment under this section.

(3) LIMITATION.—Student loan payments may be made under this section only with respect to the amount of student loan indebtedness of the eligible employee that is outstanding on the date on which the employee and the employing office enter into a service agreement under this section. Such payments may not be made under this section on a student loan that is in default or arrears.

(4) PAYMENT ON MULTIPLE LOANS.—Student loan payments may be made under this section with respect to more than 1 student loan of an eligible employee at the same time or separately, if the total payments on behalf of such employee do not exceed the limits under subsection (c)(2)(A).

(5) TREATMENT OF PAYMENTS.—Student loan payments made on behalf of an eligible employee under this section shall be in addition to any basic pay and other forms of compensation otherwise payable to the eligible employee, and shall be subject to withholding for income and employment tax obligations as provided for by law.

(6) NO RELIEF FROM LIABILITY.—An agreement to make student loan payments under this section shall not exempt an eligible employee from the responsibility or liability of the employee with respect to the loan involved and the eligible employee shall continue to be responsible for making student loan payments on the portion of any loan that is not covered under the terms of the service agreement.

(7) REDUCTION IN PAYMENTS.—Notwithstanding the terms of a service agreement under this section, the head of an employing office may reduce the amount of student loan payments made under the agreement if adequate funds are not available to such office. If the head of the employing office decides to reduce the amount of student loan payments for an eligible employee, the head of the office and the employee may mutually agree to terminate the service agreement.

(8) NO RIGHT TO CONTINUED EMPLOYMENT.—A service agreement under this section shall not be construed to create a right to, promise of, or entitlement to the continued employment of the eligible employee.

(9) NO ENTITLEMENT.—A student loan payment under this section shall not be construed to be an entitlement for any eligible employee.

(10) TREATMENT OF PAYMENTS.—A student loan payment under this section—

(A) shall not be basic pay of an employee for purposes of chapters 83 and 84 of title 5, United States Code (relating to retirement) and chapter 87 of such title (relating to life insurance coverage); and

(B) shall not be included in Federal wages for purposes of chapter 85 of such title (relating to unemployment compensation).

(g) ALLOCATION OF FUNDS.—

(1) MAXIMUM AMOUNT.—In this subsection, the term ''maximum amount'', used with respect to a fiscal year, means—

(A) in the case of an employing office described in subsection (i)(1)(A), the amount described in that subsection for that fiscal year; and

(B) in the case of an employing office described in subsection (i)(1)(B), the amount described in that subsection for that fiscal year.

(2) ALLOCATION.—From the total amount made available to carry out this section for a fiscal year, there shall be allocated to each employing office for that fiscal year—

(A) the maximum amount for that employing office for that fiscal year; or

(B) if the total amount is not sufficient to provide the maximum amount to each employing office, an amount that bears the same relationship to the total amount as the maximum amount for that employing office for that fiscal year bears to the total of the maximum amounts for all employing offices for that fiscal year.

(3) APPORTIONMENT.—In the case of an employing office that is a Committee of the Senate, the funds allocated under this subsection shall be apportioned between the majority and minority staff of the committee in the same manner as amounts are apportioned between the staffs for salaries.

(h) AUTHORIZATION OF APPROPRIATIONS.—

(1) IN GENERAL.—There are authorized to be appropriated (or otherwise made available from appropriations) to carry out this section the following amounts for each fiscal year:

(A) For each employing office that is the personal office of a Senator, an amount equal to 2 percent of the total sums appropriated for the fiscal year involved for administrative and clerical salaries for such office.

(B) For each other employing office, an amount equal to 2 percent of the total sums appropriated for the fiscal year involved for salaries for such office.

(2) LIMITATION.—Amounts provided under this section shall be subject to annual appropriations.

(i) EFFECTIVE DATE.—This section shall apply to fiscal year 2002 and each fiscal year thereafter.

SEC. 103. (a) Agency contributions for employees whose salaries are disbursed by the Secretary of the Senate from the appropriations account ''Expenses of the United States Senate Caucus on International Narcotics Control'' under the heading ''Congressional Operations'' shall be paid from the Senate appropriations account for ''Salaries, Officers and Employees''.

(b) This section shall apply to pay periods beginning on or after October 1, 2001.

SEC. 104. (a) Section 5(a) under the subheading ''ADMINISTRATIVE PROVISIONS'' under the heading ''SENATE'' under title I of the Legislative Branch Appropriations Act, 1996 (2 U.S.C. 58a note) is amended by striking ''invoice ends'' and inserting ''invoice begins''.

(b) The amendment made by subsection (a) shall take effect on October 1, 2001, and shall apply to base service periods beginning on or after that date.

SEC. 105. (a) Section 120 of Public Law 97–51 (2 U.S.C. 61g–6) is amended in the first sentence by striking ''$75,000'' and inserting ''$100,000''.

(b) This section shall apply with respect to fiscal year 2002 and each fiscal year thereafter.

SEC. 106. Effective on and after October 1, 2001, each of the dollar amounts contained in the table under section 105(d)(1)(A) of the Legislative Branch Appropriations Act, 1968 (2 U.S.C. 61–1(d)(1)(A)) shall be deemed to be the dollar amounts in that table, as adjusted by law and in effect on September 30, 2001, increased by an additional $50,000 each.

SEC. 107. TRANSFERS FROM SENATE GIFT SHOP TO PRESERVATION FUND. (a) IN GENERAL.—Section 2(c) of the Legislative Branch Appropriations Act, 1993 (2 U.S.C. 121d(c)) is amended—

(1) by inserting ''(1)'' after ''(c)''; and

(2) by adding at the end the following:

''(2) The Secretary of the Senate may transfer from the fund to the Capitol Preservation Fund the net profits (as determined by the Secretary) from sales of items by the Senate Gift Shop which are intended to benefit the Capitol Visitor Center.''.

(b) EFFECTIVE DATE.—The amendments made by this section shall apply to fiscal years beginning before, on, or after the date of enactment of this Act.

SEC. 108. PROVISIONS RELATING TO SENATE COMMISSION ON ART. (a) MAINTENANCE OF OLD SUPREME COURT CHAMBER.—Section 3 of Senate Resolution 382 (90th Congress) (40 U.S.C. 188b–2) is amended by striking ''insofar as it'' and inserting ''and of the Old Supreme Court Chamber insofar as each''.

(b) TECHNICAL AMENDMENTS.—Section 5 of Senate Resolution 382 (90th Congress) (40 U.S.C. 188b–4) is amended—

(1) by striking ''the sum of $15,000 each fiscal year,'' and inserting ''such amount as may be necessary each fiscal year,''; and

(2) by striking ''the Chairman or Vice Chairman of the Commission'' and inserting ''the Executive Secretary of the Commission and approved by the Committee on Rules and Administration of the Senate''.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to fiscal year 2002 and all succeeding fiscal years.

SEC. 109. PROCUREMENT OF TEMPORARY HELP. (a) IN GENERAL.—(1) Subject to regulations that the Committee on Rules and Administration of the Senate may prescribe, the Secretary of the Senate and the Sergeant at Arms and Doorkeeper of the Senate may procure temporary help services from a private sector source that offers such services. Each procurement of services under this subsection shall be for no longer than 30 days.

(2) A person performing services procured under paragraph (1) shall not, during the period of the performance of the services, be an employee of the United States or be considered to be an employee of the United States for any purpose.

(b) This section shall take effect on October 1, 2001, and shall apply in fiscal year 2002 and successive fiscal years.

SEC. 110. Section 311(d) of the Legislative Branch Appropriations Act, 1991 (2 U.S.C. 59e(d)) is amended in the matter preceding paragraph (1) by inserting ''in the House, or official expenses for franked mail, employee salaries, office space, furniture, or equipment and any associated information technology services (excluding handheld communications devices) in the Senate'' after ''expenses''.

SEC. 111. The amount available to the Committee on Rules and Administration for expenses under section 14(c) of Senate Resolution 54, agreed to March 8, 2001, is increased by $150,000.

SEC. 112. TRANSPORTATION SUBSIDY FOR EMPLOYEES OF THE SENATE.

(a) DEFINITIONS.—In this section, the term—

(1) ''employee of the Senate''—

(A) means any employee whose pay is disbursed by the Secretary of the Senate; and

(B) does not include a member or civilian employee of the Capitol Police; and

(2) ''employing office'' means the employing office, as defined under section 101 of the Congressional Accountability Act of 1995 (2 U.S.C. 1301), of an employee of the Senate.

(b) TRANSPORTATION SUBSIDY.—An employing office may provide a monthly transportation subsidy to an employee of the Senate up to the maximum monthly amount authorized under section 132(f)(2)(A) of the Internal Revenue Code of 1986.

HOUSE OF REPRESENTATIVES

PAYMENT TO WIDOWS AND HEIRS OF DECEASED MEMBERS OF CONGRESS

For payment to Deborah Williams Spence, Floyd D. Spence Jr., Zacheriah W. Spence, Benjamin G. Spence and Caldwell D. Spence, widow and children of Floyd Spence, late a Representative from the State of South Carolina, $145,100.

SALARIES AND EXPENSES

For salaries and expenses of the House of Representatives, $878,050,000, as follows:

HOUSE LEADERSHIP OFFICES

For salaries and expenses, as authorized by law, $15,910,000, including: Office of the Speaker, $1,866,000, including $25,000 for official expenses of the Speaker; Office of the Majority Floor Leader, $1,830,000, including $10,000 for official expenses of the Majority Leader; Office of the Minority Floor Leader, $2,224,000, including $10,000 for official expenses of the Minority Leader; Office of the Majority Whip, including the Chief Deputy Majority Whip, $1,562,000, including $5,000 for official expenses of the Majority Whip; Office of the Minority Whip, including the Chief Deputy Minority Whip, $1,168,000, including $5,000 for official expenses of the Minority Whip; Speaker's Office for Legislative Floor Activities, $431,000; Republican Steering Committee, $806,000; Republican Conference, $1,342,000; Democratic Steering and Policy Committee, $1,435,000; Democratic Caucus, $713,000; nine minority employees, $1,293,000; training and program development—majority, $290,000; training and program development—minority, $290,000; Cloakroom Personnel—majority, $330,000; and Cloakroom Personnel—minority, $330,000.

MEMBERS' REPRESENTATIONAL ALLOWANCES INCLUDING MEMBERS' CLERK HIRE, OFFICIAL EXPENSES OF MEMBERS, AND OFFICIAL MAIL

For Members' representational allowances, including Members' clerk hire, official expenses, and official mail, $479,472,000.

COMMITTEE EMPLOYEES

STANDING COMMITTEES, SPECIAL AND SELECT

For salaries and expenses of standing committees, special and select, authorized by House resolutions, $104,514,000: Provided, That such amount shall remain available for such salaries and expenses until December 31, 2002.

COMMITTEE ON APPROPRIATIONS

For salaries and expenses of the Committee on Appropriations, $23,002,000, including studies and examinations of executive agencies and temporary personal services for such committee, to be expended in accordance with section 202(b) of the Legislative Reorganization Act of 1946 and to be available for reimbursement to agencies for services performed: Provided, That such amount shall remain available for such salaries and expenses until December 31, 2002.

SALARIES, OFFICERS AND EMPLOYEES

For compensation and expenses of officers and employees, as authorized by law, $101,766,000, including: for salaries and expenses of the Office of the Clerk, including not more than $11,000, of which not more than $10,000 is for the Family Room, for official representation and reception expenses, $15,408,000; for salaries and expenses of the Office of the Sergeant at Arms, including the position of Superintendent of Garages, and including not more than $750 for official representation and reception expenses, $4,139,000; for salaries and expenses of the Office of the Chief Administrative Officer, $67,495,000, of which $3,525,000 shall remain available until expended, including $31,510,000 for salaries, expenses and temporary personal services of House Information Resources, of which $31,390,000 is provided herein: Provided, That of the amount provided for House Information Resources, $8,656,000 shall be for net expenses of telecommunications: Provided further, That House Information Resources is authorized to receive reimbursement from Members of the House of Representatives and other governmental entities for services provided and such reimbursement shall be deposited in the Treasury for credit to this account; for salaries and expenses of the Office of the Inspector General, $3,756,000; for salaries and expenses of the Office of General Counsel, $894,000; for the Office of the Chaplain, $144,000; for salaries and expenses of the Office of the Parliamentarian, including the Parliamentarian and $2,000 for preparing the Digest of Rules, $1,344,000; for salaries and expenses of the Office of the Law Revision Counsel of the House, $2,107,000; for salaries and expenses of the Office of the Legislative Counsel of the House, $5,456,000; for salaries and expenses of the Corrections Calendar Office, $883,000; and for other authorized employees, $140,000.

ALLOWANCES AND EXPENSES

For allowances and expenses as authorized by House resolution or law, $157,436,000, including: supplies, materials, administrative costs and Federal tort claims, $3,379,000; official mail for committees, leadership offices, and administrative offices of the House, $410,000; Government contributions for health, retirement, Social Security, and other applicable employee benefits, $152,957,000; and miscellaneous items including purchase, exchange, maintenance, repair and operation of House motor vehicles, interparliamentary receptions, and gratuities to heirs of deceased employees of the House, $690,000.

CHILD CARE CENTER

For salaries and expenses of the House of Representatives Child Care Center, such amounts as are deposited in the account established by section 312(d)(1) of the Legislative Branch Appropriations Act, 1992 (40 U.S.C. 184g(d)(1)), subject to the level specified in the budget of the Center, as submitted to the Committee on Appropriations of the House of Representatives.

ADMINISTRATIVE PROVISIONS

SEC. 113. (a) Effective October 1, 2001, the following four majority positions shall be transferred from the Clerk to the Speaker:

(1) The position of chief of floor service.

(2) Two positions of assistant floor chief.

(3) One position of cloakroom attendant.

(b) Effective October 1, 2001, the following four minority positions shall be transferred from the Clerk to the minority leader:

(1) The position of chief of floor service.

(2) Two positions of assistant floor chief.

(3) One position of cloakroom attendant.

(c) Notwithstanding any other provision of law, in the case of an individual who is an incumbent of a position transferred under subsection (a) or subsection (b) at the time of the transfer, the total number of days of annual leave and the total number of days of sick leave which were provided by the Clerk to the individual and which remain unused as of the date of the transfer shall remain available for the individual to use after the transfer.

SEC. 114. (a) The third sentence of section 104(a)(1) of the Legislative Branch Appropriations Act, 1987 (as incorporated by reference in section 101(j) of Public Law 99–500 and Public Law 99–591) (2 U.S.C. 117e(1)) is amended by striking ''for credit to the appropriate account'' and all that follows and inserting the following: ''for credit to the appropriate account of the House of Representatives, and shall be available for expenditure in accordance with applicable law. For purposes of the previous sentence, in the case of receipts from the sale or disposal of any audio or video transcripts prepared by the

House Recording Studio, the 'appropriate account of the House of Representatives' shall be the account of the Chief Administrative Officer of the House of Representatives.''.

(b) The amendment made by subsection (a) shall apply with respect to fiscal year 2002 and each succeeding fiscal year.

SEC. 115. (a) REQUIRING AMOUNTS REMAINING IN MEMBERS' REPRESENTATIONAL ALLOWANCES TO BE USED FOR DEFICIT REDUCTION OR TO REDUCE THE FEDERAL DEBT.—Notwithstanding any other provision of law, any amounts appropriated under this Act for ''HOUSE OF REPRESENTATIVES—SALARIES AND EXPENSES—MEMBERS' REPRESENTATIONAL ALLOWANCES'' shall be available only for fiscal year 2002. Any amount remaining after all payments are made under such allowances for fiscal year 2002 shall be deposited in the Treasury and used for deficit reduction (or, if there is no Federal budget deficit after all such payments have been made, for reducing the Federal debt, in such manner as the Secretary of the Treasury considers appropriate).

(b) REGULATIONS.—The Committee on House Administration of the House of Representatives shall have authority to prescribe regulations to carry out this section.

(c) DEFINITION.—As used in this section, the term ''Member of the House of Representatives'' means a Representative in, or a Delegate or Resident Commissioner to, the Congress.

SEC. 116. (a) DAY FOR PAYING SALARIES OF THE HOUSE OF REPRESENTATIVES.—The usual day for paying salaries in or under the House of Representatives shall be the last day of each month, except that if the last day of a month falls on a Saturday, Sunday, or a legal public holiday, the Chief Administrative Officer of the House of Representatives shall pay such salaries on the first weekday which precedes the last day.

(b) CONFORMING AMENDMENT.—(1) The first section and section 2 of the Joint Resolution entitled ''Joint resolution authorizing the payment of salaries of the officers and employees of Congress for December on the 20th day of that month each year'', approved May 21, 1937 (2 U.S.C. 60d and 60e), are each repealed.

(2) The last paragraph under the heading ''Contingent Expense of the House'' in the First Deficiency Appropriation Act, 1946 (2 U.S.C. 60e–1), is repealed.

(c) EFFECTIVE DATE.—This section and the amendments made by this section shall apply with respect to pay periods beginning after the expiration of the 1-year period which begins on the date of the enactment of this Act.

SEC. 117. (a) The aggregate amount otherwise authorized to be appropriated for a fiscal year for the lump-sum allowance for the Office of the Speaker of the House of Representatives shall be increased by $40,000.

(b) This section shall apply with respect to fiscal year 2002 and each succeeding fiscal year.

SEC. 118. (a) Effective with respect to fiscal year 2002 and each succeeding fiscal year, there are hereby established 2 additional positions in each of the following offices of the House of Representatives:

(1) The Office of the Clerk.

(2) The Office of the Chief Administrative Officer.

(3) The Office of the Sergeant at Arms.

(b) The duty of the personnel appointed to a position established under this section shall be to ensure the continuity of the operations of the House of Representatives during periods of emergency, in accordance with the direction of the head of the office in which the position is established.

(c) The annual rate of pay provided for a position established under this section shall be determined by the head of the office in which the position is established.

(d) Notwithstanding any other provision of law, the head of the office in which a position is established under this section shall have the exclusive authority to appoint personnel to such a position.

SEC. 119. (a) Section 408 of the Congressional Accountability Act of 1995 (2 U.S.C. 1408) is amended by adding at the end the following new subsection:

''(d) APPEARANCES BY HOUSE EMPLOYMENT COUNSEL.—

''(1) IN GENERAL.—The House Employment Counsel of the House of Representatives and any other counsel in the Office of House Employment Counsel of the House of Representatives, including any counsel specially retained by the Office of House Employment Counsel, shall be entitled, for the purpose of providing legal assistance and representation to employing offices of the House of Representatives under this Act, to enter an appearance in any proceeding before any court of the United States or of any State or political subdivision thereof without compliance with any requirements for admission to practice before such court, except that the authorization conferred by this paragraph shall not apply with respect to the admission of any such person to practice before the United States Supreme Court.

''(2) HOUSE EMPLOYMENT COUNSEL DEFINED.—In this subsection, the term 'Office of House Employment Counsel of the House of Representatives' means—

''(A) the Office of House Employment Counsel established and operating under the authority of the Clerk of the House of Representatives as of the date of the enactment of this subsection;

''(B) any successor office to the Office of House Employment Counsel which is established after the date of the enactment of this subsection; and

''(C) any other person authorized and directed in accordance with the Rules of the House of Representatives to provide legal assistance and representation to employing offices of the House of Representatives in connection with actions brought under this title.''.

(b) The amendment made by this section shall apply with respect to proceedings occurring on or after the date of the enactment of this Act.

JOINT ITEMS

For Joint Committees, as follows:

JOINT ECONOMIC COMMITTEE

For salaries and expenses of the Joint Economic Committee, $3,424,000, to be disbursed by the Secretary of the Senate.

JOINT COMMITTEE ON TAXATION

For salaries and expenses of the Joint Committee on Taxation, $6,733,000, to be disbursed by the Chief Administrative Officer of the House.

For other joint items, as follows:

OFFICE OF THE ATTENDING PHYSICIAN

For medical supplies, equipment, and contingent expenses of the emergency rooms, and for the Attending Physician and his assistants, including: (1) an allowance of $1,500 per month to the Attending Physician; (2) an allowance of $500 per month each to three medical officers while on duty in the Office of the Attending Physician; (3) an allowance of $500 per month to two assistants and $400 per month each not to exceed 11 assistants on the basis heretofore provided for such assistants; and (4) $1,253,904 for reimbursement to the Department of the Navy for expenses incurred for staff and equipment assigned to the Office of the Attending Physician, which shall be advanced and credited to the applicable appropriation or appropriations from which such salaries, allowances, and other expenses are payable and shall be available for all the purposes thereof, $1,865,000, to be disbursed by the Chief Administrative Officer of the House of Representatives.

CAPITOL POLICE BOARD

CAPITOL POLICE

SALARIES

For the Capitol Police Board for salaries of officers, members, and employees of the Capitol Police, including overtime, hazardous duty pay differential, clothing allowance of not more than $600 each for members required to wear civilian attire, and Government contributions for health, retirement, Social Security, and other applicable employee benefits, $113,044,000, of which $55,239,000 is provided to the Sergeant at Arms of the House of Representatives, to be disbursed by the Chief Administrative Officer of the House, and $57,805,000 is provided to the Sergeant at Arms and Doorkeeper of the Senate, to be disbursed by the Secretary of the Senate: Provided, That, of the amounts appropriated under this heading, such amounts as may be necessary may be transferred between the Sergeant at Arms of the House of Representatives and the Sergeant at Arms and Doorkeeper of the Senate, upon approval of the Committee on Appropriations of the House of Representatives and the Committee on Appropriations of the Senate.

GENERAL EXPENSES

For the Capitol Police Board for necessary expenses of the Capitol Police, including motor vehicles, communications and other equipment, security equipment and installation, uniforms, weapons, supplies, materials, training, medical services, forensic services, stenographic services, personal and professional services, the employee assistance program, not more than $2,000 for the awards program, postage, telephone service, travel advances, relocation of instructor and liaison personnel for the Federal Law Enforcement Training Center, and $85 per month for extra services performed for the Capitol Police Board by an employee of the Sergeant at Arms and Doorkeeper of the Senate or the Sergeant at Arms of the House of Representatives designated by the Chairman of the Board, $13,146,000, to be disbursed by the Capitol Police Board or their delegee: Provided, That, notwithstanding any other provision of law, the cost of basic training for the Capitol Police at the Federal Law Enforcement Training Center for fiscal year 2002 shall be paid by the Secretary of the Treasury from funds available to the Department of the Treasury.

ADMINISTRATIVE PROVISIONS

SEC. 120. Amounts appropriated for fiscal year 2002 for the Capitol Police Board for the Capitol Police may be transferred between the headings ''SALARIES'' and ''GENERAL EXPENSES'' upon the approval of—

(1) the Committee on Appropriations of the House of Representatives, in the case of amounts transferred from the appropriation provided to the Sergeant at Arms of the House of Representatives under the heading ''SALARIES'';

(2) the Committee on Appropriations of the Senate, in the case of amounts transferred from the appropriation provided to the Sergeant at Arms and Doorkeeper of the Senate under the heading ''SALARIES''; and

(3) the Committees on Appropriations of the Senate and the House of Representatives, in the case of other transfers.

SEC. 121. At any time on or after the date of the enactment of this Act, the United States Capitol Police may accept contributions of meals and refreshments in support of activities of the United States Capitol Police during a period of emergency (as determined by the Capitol Police Board).

SEC. 122. (a) Section 108(a)(4) of the Legislative Branch Appropriations Act, 2001, as amended by section 507(a) of the Department of Transportation and Related Agencies Appropriations Act, 2001 (as enacted into law by reference in section 101(a) of Public Law 106–346), is amended by striking ''the Capitol Police Board'' and all that follows and inserting the following: ''the Chief of the Capitol Police, but not to exceed $1,000 less than the annual rate of pay for the Chief of the Capitol Police.''.

(b) The amendment made by subsection (a) shall apply with respect to pay periods beginning on or after October 1, 2001.

SEC. 123. Any obligation or expenditure of funds made prior to the date of enactment of this Act by the House of Representatives or the Capitol Police Board for meals, refreshments, and other support and maintenance in response to a biological or other threat made after September 11, 2001 shall be deemed to have been made in compliance with sections 1301 and 1341 of title 31, United States Code.

SEC. 124. At any time on or after the date of enactment of this Act, the Capitol Police Board may incur obligations and make expenditures out of available appropriations for meals, refreshments and other support and maintenance for the Capitol Police when, in the judgment of the Capitol Police Board, such obligations and expenditures are necessary to respond to emergencies involving the safety of human life or the protection of property.

CAPITOL GUIDE SERVICE AND SPECIAL SERVICES OFFICE

For salaries and expenses of the Capitol Guide Service and Special Services Office, $2,512,000, to be disbursed by the Secretary of the Senate: Provided, That no part of such amount may be used to employ more than 43 individuals: Provided further, That the Capitol Guide Board is authorized, during emergencies, to employ not more than two additional individuals for not more than 120 days each, and not more than 10 additional individuals for not more than 6 months each, for the Capitol Guide Service.

STATEMENTS OF APPROPRIATIONS

For the preparation, under the direction of the Committees on Appropriations of the Senate and the House of Representatives, of the statements for the first session of the One Hundred Seventh Congress, showing appropriations made, indefinite appropriations, and contracts authorized, together with a chronological history of the regular appropriations bills as required by law, $30,000, to be paid to the persons designated by the chairmen of such committees to supervise the work.

OFFICE OF COMPLIANCE

SALARIES AND EXPENSES

For salaries and expenses of the Office of Compliance, as authorized by section 305 of the Congressional Accountability Act of 1995 (2 U.S.C. 1385), $2,059,000, of which $254,000 shall remain available until September 30, 2003.

CONGRESSIONAL BUDGET OFFICE

SALARIES AND EXPENSES

For salaries and expenses necessary to carry out the provisions of the Congressional Budget Act of 1974 (Public Law 93–344), including not more than $3,000 to be expended on the certification of the Director of the Congressional Budget Office in connection with official representation and reception expenses, $30,780,000: Provided, That no part of such amount may be used for the purchase or hire of a passenger motor vehicle.

ADMINISTRATIVE PROVISIONS

SEC. 125. (a) The Director of the Congressional Budget Office may, by regulation, make applicable such provisions of chapter 41 of title 5, United States Code, as the Director determines necessary to provide hereafter for training of individuals employed by the Congressional Budget Office.

(b) The implementing regulations shall provide for training that, in the determination of the Director, is consistent with the training provided by agencies subject to chapter 41 of title 5, United States Code.

(c) Any recovery of debt owed to the Congressional Budget Office under this section and its implementing regulations shall be credited to the appropriations account available for salaries and expenses of the Office at the time of recovery.

(d) This section shall apply to fiscal year 2002 and each fiscal year thereafter.

SEC. 126. Section 105(a) of the Legislative Branch Appropriations Act, 1997 (2 U.S.C. 606(a)), is amended by striking ''or discarding.'' and inserting ''sale, trade-in, or discarding.'', and by adding at the end the following: ''Amounts received for the sale or trade-in of personal property shall be credited to funds available for the operations of the Congressional Budget Office and be available for the costs of acquiring the same or similar property. Such funds shall be available for such purposes during the fiscal year in which received and the following fiscal year.''.

SEC. 127. (a) The Director of the Congressional Budget Office may, in order to recruit or retain qualified personnel, establish and maintain hereafter a program under which the Office may agree to repay (by direct payments on behalf of the employee) all or a portion of any student loan previously taken out by such employee.

(b) The Director may, by regulation, make applicable such provisions of section 5379 of title 5, United States Code as the Director determines necessary to provide for such program.

(c) The regulations shall provide the amount paid by the Office may not exceed—

(1) $6,000 for any employee in any calendar year; or

(2) a total of $40,000 in the case of any employee.

(d) The Office may not reimburse an employee for any repayments made by such employee prior to the Office entering into an agreement under this section with such employee.

(e) Any amount repaid by, or recovered from, an individual under this section and its implementing regulations shall be credited to the appropriation account available for salaries and expenses of the Office at the time of repayment or recovery.

(f) This section shall apply to fiscal year 2002 and each fiscal year thereafter.

ARCHITECT OF THE CAPITOL

CAPITOL BUILDINGS AND GROUNDS

GENERAL ADMINISTRATION

SALARIES AND EXPENSES

For salaries for the Architect of the Capitol, the Assistant Architect of the Capitol, and other personal services, at rates of pay provided by law; for surveys and studies in connection with activities under the care of the Architect of the Capitol; for all necessary expenses for the general and administrative support of the operations under the Architect of the Capitol including the Botanic Garden; electrical substations of the Capitol, Senate and House office buildings, and other facilities under the jurisdiction of the Architect of the Capitol; including furnishings and office equipment; including not more than $1,000 for official reception and representation expenses, to be expended as the Architect of the Capitol may approve; for purchase or exchange, maintenance, and operation of a passenger motor vehicle; and not to exceed $20,000 for attendance, when specifically authorized by the Architect of the Capitol, at meetings or conventions in connection with subjects related to work under the Architect of the Capitol, $51,371,000, of which $3,026,000 shall remain available until September 30, 2006.

CAPITOL BUILDINGS

For all necessary expenses for the maintenance, care and operation of the Capitol, $15,194,000, of which $3,080,000 shall remain available until September 30, 2006.

CAPITOL GROUNDS

For all necessary expenses for care and improvement of grounds surrounding the Capitol, the Senate and House office buildings, and the Capitol Power Plant, $6,009,000.

SENATE OFFICE BUILDINGS

For all necessary expenses for the maintenance, care and operation of Senate office buildings; and furniture and furnishings to be expended under the control and supervision of the Architect of the Capitol, $42,126,000, of which $3,760,000 shall remain available until September 30, 2006.

HOUSE OFFICE BUILDINGS

For all necessary expenses for the maintenance, care and operation of the House office buildings, $54,006,000, of which $23,344,000 shall remain available until September 30, 2006.

CAPITOL POWER PLANT

For all necessary expenses for the maintenance, care and operation of the Capitol Power Plant; lighting, heating, power (including the purchase of electrical energy) and water and sewer services for the Capitol, Senate and House office buildings, Library of Congress buildings, and the grounds about the same, Botanic Garden, Senate garage, and air conditioning refrigeration not supplied from plants in any of such buildings; heating the Government Printing Office and Washington City Post Office, and heating and chilled water for air conditioning for the Supreme Court Building, the Union Station complex, the Thurgood Marshall Federal Judiciary Building and the Folger Shakespeare Library, expenses for which shall be advanced or reimbursed upon request of the Architect of the Capitol and amounts so received shall be deposited into the Treasury to the credit of this appropriation, $52,583,000, of which $8,013,000 shall remain available until September 30, 2006: Provided, That not more than $4,400,000 of the funds credited or to be reimbursed to this appropriation as herein provided shall be available for obligation during fiscal year 2002.

ADMINISTRATIVE PROVISIONS

SEC. 128. ACQUISITION OF PROPERTY BY ARCHITECT OF THE CAPITOL.—Notwithstanding any other provision of law and subject to the availability of appropriations, the Architect of the Capitol is authorized to secure, through multiyear rental, lease, or other appropriate agreement, the property located at 67 K Street, S.W., Washington, D.C., for use of Legislative Branch agencies, and to incur any necessary incidental expenses including maintenance, alterations, and repairs in connection therewith: Provided, That in connection with the property referred to under the preceding proviso, the Architect of the Capitol is authorized to expend funds appropriated to the Architect of the Capitol for the purpose of the operations and support of Legislative Branch agencies, including the United States Capitol Police, as may be required for that purpose.

SEC. 129. (a) COMPENSATION OF ARCHITECT OF THE CAPITOL.—Section 203(c) of the Federal Legislative Salary Act of 1964 (40 U.S.C. 162a) is amended by striking ''the annual rate of basic pay'' and all that follows and inserting the following: ''the lesser of the annual salary for the Sergeant at Arms of the House of Representatives or the annual salary for the Sergeant at Arms and Doorkeeper of the Senate.''.

(b) COMPENSATION OF ASSISTANT ARCHITECT OF THE CAPITOL.—Pursuant to the authority described in section 308(a) of the Legislative Branch Appropriations Act, 1988 (40 U.S.C. 166b–3a(a)), the pay for the position of assistant referred to in the proviso in the first undesignated paragraph under the center subheadings ''OFFICE OF THE ARCHITECT OF THE CAPITOL'' and ''SALARIES'' in the first section of the Legislative Branch Appropriation Act, 1971 (40 U.S.C. 164a) shall be an amount equal to $1,000 less than the annual rate of pay for the Architect of the Capitol.

(c) COMPENSATION FOR CERTAIN OTHER POSITIONS.—

(1) IN GENERAL.—In accordance with the authority described in section 308(a) of the Legislative Branch Appropriations Act, 1988 (40 U.S.C. 166b–3a(a)), section 108 of the Legislative Branch Appropriations Act, 1991 (40 U.S.C. 166b–3b) is amended—

(A) by striking subsections (a) and (b) and inserting the following:

''(a) The Architect of the Capitol may fix the rate of basic pay for not more than 12 positions at a rate not to exceed the highest total rate of

pay for the Senior Executive Service under subchapter VIII of chapter 53 of title 5, United States Code, for the locality involved.''; and

(B) by redesignating subsection (c) as subsection (b).

(2) EFFECTIVE DATE.—The amendment made by paragraph (1) shall apply with respect to pay periods beginning on or after the expiration of the 21-day period which begins on the date the Architect of the Capitol submits to the Committees on Appropriations of the House of Representatives and Senate a list containing the 12 positions for which the Architect will fix the rate of basic pay under the amendment, the rate of basic pay for each such position, and the job description for each such position.

(d) COMPREHENSIVE MANAGEMENT STUDY AND RESPONSE.—

(1) STUDY BY COMPTROLLER GENERAL.—Not later than November 1, 2002, the Comptroller General shall conduct a comprehensive management study of the operations of the Architect of the Capitol, and submit the study to the Architect of the Capitol and the Committees on Appropriations of the House of Representatives and Senate.

(2) PLAN BY ARCHITECT IN RESPONSE.—After the Comptroller General submits the study conducted under paragraph (1) to the Committees referred to in such paragraph, the Architect of the Capitol shall develop and submit to such Committees a management improvement plan which addresses the study and which indicates how the personnel for whom the Architect fixes the rate of basic pay under the amendment made by subsection (c)(1) will support such plan.

(e) EFFECTIVE DATE.—Except as provided in subsections (c)(2) and (d), this section and the amendments made by this section shall apply with respect to pay periods beginning on or after October 1, 2001.

SEC. 130. (a) LIQUIDATED DAMAGES.—The Architect of the Capitol may not enter into or administer any construction contract with a value greater than $50,000 unless the contract includes a provision requiring the payment of liquidated damages in the amount determined under subsection (b) in the event that completion of the project is delayed because of the contractor.

(b) AMOUNT OF PAYMENT.—The amount of payment required under a liquidated damages provision described in subsection (a) shall be equal to the product of—

(1) the daily liquidated damage payment rate; and

(2) the number of days by which the completion of the project is delayed.

(c) DAILY LIQUIDATED DAMAGE PAYMENT RATE.—

(1) IN GENERAL.—In subsection (b), the ''daily liquidated damage payment rate'' means—

(A) $140, in the case of a contract with a value greater than $50,000 and less than $100,000;

(B) $200, in the case of a contract with a value equal to or greater than $100,000 and equal to or less than $500,000; and

(C) the sum of $200 plus $50 for each $100,000 increment by which the value of the contract exceeds $500,000, in the case of a contract with a value greater than $500,000.

(2) ADJUSTMENT IN RATE PERMITTED.—Notwithstanding paragraph (1), the daily liquidated damage payment rate may be adjusted by the contracting officer involved to a rate greater or lesser than the rate described in such paragraph if the contracting officer makes a written determination that the rate described does not accurately reflect the anticipated damages which will be suffered by the United States as a result of the delay in the completion of the contract.

(d) EFFECTIVE DATE.—This section shall apply with respect to contracts entered into during fiscal year 2002 or any succeeding fiscal year.

SEC. 131. NOTWITHSTANDING ANY OTHER PROVISION OF LAW: (A) SECTION 3709 OF THE REVISED STATUTES (41 U.S.C. 5) SHALL APPLY WITH RESPECT TO PURCHASES AND CONTRACTS FOR THE ARCHITECT OF THE CAPITOL AS IF THE REFERENCE TO '$25,000' IN CLAUSE 1 OF SUCH SECTION WERE A REFERENCE TO '$100,000' AND (B) THE ARCHITECT MAY PROCURE SERVICES, EQUIPMENT, AND CONSTRUCTION FOR SECURITY RELATED PROJECTS IN THE MOST EFFICIENT MANNER HE DETERMINES APPROPRIATE.

SEC. 132. ACCOUNTING AND FINANCIAL MANAGEMENT SYSTEM. The Architect of the Capitol shall develop and maintain an accounting and financial management system, including financial reporting and internal controls, which—

(1) complies with applicable federal accounting principles, standards, and requirements, and internal control standards;

(2) complies with any other requirements applicable to such systems; and

(3) provides for—

(A) complete, reliable, consistent, and timely information which is prepared on a uniform basis and which is responsive to financial information needs of the Architect of the Capitol;

(B) the development and reporting of cost information;

(C) the integration of accounting and budgeting information; and

(D) the systematic measurement of performance.

SEC. 133. (a) LIMITATION.—(1) Except as provided in paragraph (2), none of the funds provided by this Act or any other Act may be used by the Architect of the Capitol after the expiration of the 90-day period which begins on the date of the enactment of this Act to employ any individual as a temporary employee within a category of temporary employment which does not provide employees with the same eligibility for life insurance, health insurance, retirement, and other benefits which is provided to temporary employees who are hired for a period exceeding 1 year in length.

(2) Paragraph (1) shall not apply with respect to any of the following individuals:

(A) An individual who is employed under the Architect of the Capitol Summer Employment Program.

(B) An individual who is hired for a total of 120 days or less during any 5-year period (excluding any days in which the individual is employed under the Architect of the Capitol Summer Employment Program).

(C) An individual employed by the Architect of the Capitol as a temporary employee as of the date of the enactment of this Act who exercises in writing, not later than 90 days after such date, an option offered by the Architect to remain under the pay system (including benefits) provided for the individual as of such date.

(D) An individual who becomes employed by the Architect of the Capitol after the date of the enactment of this Act who exercises in writing, prior to the individual's employment, an option offered by the Architect to receive pay and benefits under an alternative system which does not provide the benefits described in paragraph (1), except that under such an option the Architect shall be required to provide the individual with the benefits described in paragraph (1) as soon as the individual's period of service as a temporary employee exceeds 1 year in length.

(3) Nothing in this subsection may be construed to require the Architect of the Capitol to provide duplicative benefits for any employee.

(b) ALLOTMENT AND ASSIGNMENT OF PAY.—(1) Section 5525 of title 5, United States Code, is amended by adding at the end the following new sentence: ''For purposes of this section, the term 'agency' includes the Office of the Architect of the Capitol.''.

(2) The amendment made by paragraph (1) shall apply with respect to pay periods beginning on or after the date of the enactment of this Act.

SEC. 134. CONGRESSIONAL AWARD YOUTH PARK.

(a) DESIGNATION.—The parcel of approximately 5 acres of land located on the Capitol Grounds and described in subsection (b) shall be known and designated as the ''Congressional Award Youth Park''.

(b) AREA INCLUDED.—

(1) IN GENERAL.—The parcel of land described in subsection (a) is—

(A) bounded on the north by Constitution Avenue, N.W.;

(B) bounded on the east by First Street, N.W.;

(C) bounded on the south by Pennsylvania Avenue, N.W.; and

(D) bounded on the west by Third Street N.W.

(2) EXTENSION.—The park shall extend to the curbs of the streets described in paragraph (1).

(c) DESIGN.—

(1) COMPETITION.—The Architect of the Capitol shall sponsor a competition for the design of the park, based on specifications developed by the Architect.

(2) SPECIFICATIONS.—

(A) IN GENERAL.—Not later than June 30, 2002, the Architect, in consultation with the majority leader and the minority leader of the Senate, and the Speaker and the minority leader of the House of Representatives, shall develop the specifications for the park.

(B) REQUIREMENTS.—

(i) IN GENERAL.—The specifications shall require an outdoor design that is accessible to the public.

(ii) INCLUSIONS.—To the maximum extent practicable, the specifications shall include requirements for—

(I) a fountain;

(II) extensive use of trees and flowering plants from each of the 50 States;

(III) large-scale replicas of the medals awarded under the Congressional Award Program; and

(IV) the inscription of the names of all Congressional Award recipients.

(3) SELECTION.—

(A) IN GENERAL.—As soon as practicable after the competition is completed, the Architect shall forward at least 3 designs, with recommendations, to the United States Capitol Preservation Commission.

(B) FINAL SELECTION.—The United States Capitol Preservation Commission shall select and approve the final design from among the 3 designs submitted under subparagraph (A).

(d) FUNDING.—Funds otherwise made available to the Architect of the Capitol under this Act shall be available to carry out this section.

SEC. 135. LIMITATION ON CERTAIN GIFTS AND EXPENDITURES RELATING TO THE NATIONAL GARDEN. Section 201 of the Legislative Branch Appropriations Act, 1993 (40 U.S.C. 216c note) is amended by striking ''$14,500,000'' each place it appears and inserting ''$16,500,000''.

LIBRARY OF CONGRESS

CONGRESSIONAL RESEARCH SERVICE

SALARIES AND EXPENSES

For necessary expenses to carry out the provisions of section 203 of the Legislative Reorganization Act of 1946 (2 U.S.C. 166) and to revise and extend the Annotated Constitution of the United States of America, $81,454,000: Provided, That no part of such amount may be used to pay any salary or expense in connection with any publication, or preparation of material therefor (except the Digest of Public General Bills), to be issued by the Library of Congress unless such publication has obtained prior approval of either the Committee on House Administration of the House of Representatives or the Committee on Rules and Administration of the Senate.

GOVERNMENT PRINTING OFFICE

CONGRESSIONAL PRINTING AND BINDING

(INCLUDING TRANSFER OF FUNDS)

For authorized printing and binding for the Congress and the distribution of Congressional information in any format; printing and binding for the Architect of the Capitol; expenses necessary for preparing the semimonthly and session index to the Congressional Record, as authorized by law (section 902 of title 44, United

States Code); printing and binding of Government publications authorized by law to be distributed to Members of Congress; and printing, binding, and distribution of Government publications authorized by law to be distributed without charge to the recipient, $81,000,000: Provided, That this appropriation shall not be available for paper copies of the permanent edition of the Congressional Record for individual Representatives, Resident Commissioners or Delegates authorized under section 906 of title 44, United States Code: Provided further, That this appropriation shall be available for the payment of obligations incurred under the appropriations for similar purposes for preceding fiscal years: Provided further, That notwithstanding the 2-year limitation under section 718 of title 44, United States Code, none of the funds appropriated or made available under this Act or any other Act for printing and binding and related services provided to Congress under chapter 7 of title 44, United States Code, may be expended to print a document, report, or publication after the 27-month period beginning on the date that such document, report, or publication is authorized by Congress to be printed, unless Congress reauthorizes such printing in accordance with section 718 of title 44, United States Code: Provided further, That any unobligated or unexpended balances in this account or accounts for similar purposes for preceding fiscal years may be transferred to the Government Printing Office revolving fund for carrying out the purposes of this heading, subject to the approval of the Committees on Appropriations of the House of Representatives and Senate.

This title may be cited as the ''Congressional Operations Appropriations Act, 2002''.

TITLE II—OTHER AGENCIES

BOTANIC GARDEN

SALARIES AND EXPENSES

For all necessary expenses for the maintenance, care and operation of the Botanic Garden and the nurseries, buildings, grounds, and collections; and purchase and exchange, maintenance, repair, and operation of a passenger motor vehicle; all under the direction of the Joint Committee on the Library, $5,646,000: Provided, That this appropriation shall not be available for any activities of the National Garden.

LIBRARY OF CONGRESS

SALARIES AND EXPENSES

For necessary expenses of the Library of Congress not otherwise provided for, including development and maintenance of the Union Catalogs; custody and custodial care of the Library buildings; special clothing; cleaning, laundering and repair of uniforms; preservation of motion pictures in the custody of the Library; operation and maintenance of the American Folklife Center in the Library; preparation and distribution of catalog records and other publications of the Library; hire or purchase of one passenger motor vehicle; and expenses of the Library of Congress Trust Fund Board not properly chargeable to the income of any trust fund held by the Board, $306,692,000, of which not more than $6,500,000 shall be derived from collections credited to this appropriation during fiscal year 2002, and shall remain available until expended, under the Act of June 28, 1902 (chapter 1301; 32 Stat. 480; 2 U.S.C. 150) and not more than $350,000 shall be derived from collections during fiscal year 2002 and shall remain available until expended for the development and maintenance of an international legal information database and activities related thereto: Provided, That the Library of Congress may not obligate or expend any funds derived from collections under the Act of June 28, 1902, in excess of the amount authorized for obligation or expenditure in appropriations Acts: Provided further, That the total amount available for obligation shall be reduced by the amount by which collections are less than the $6,850,000: Provided further, That of the total amount appropriated, $15,824,474 is to remain available until expended for acquisition of books, periodicals, newspapers, and all other materials including subscriptions for bibliographic services for the Library, including $40,000 to be available solely for the purchase, when specifically approved by the Librarian, of special and unique materials for additions to the collections: Provided further, That of the total amount appropriated, $1,517,903 is to remain available until expended for the acquisition and partial support for implementation of an Integrated Library System (ILS): Provided further, That of the total amount appropriated, $7,100,000 is to remain available until expended for the purpose of teaching educators how to incorporate the Library's digital collections into school curricula and shall be transferred to the educational consortium formed to conduct the ''Joining Hands Across America: Local Community Initiative'' project as approved by the Library: Provided further, That of the amount appropriated, $500,000 shall be transferred to the Abraham Lincoln Bicentennial Commission to remain available until expended for carrying out the purposes of Public Law 106–173, of which amount $3,000 may be used for official representation and reception expenses of the Abraham Lincoln Bicentennial Commission.

COPYRIGHT OFFICE

SALARIES AND EXPENSES

For necessary expenses of the Copyright Office, $40,896,000, of which not more than $21,880,000, to remain available until expended, shall be derived from collections credited to this appropriation during fiscal year 2002 under section 708(d) of title 17, United States Code: Provided, That the Copyright Office may not obligate or expend any funds derived from collections under such section, in excess of the amount authorized for obligation or expenditure in appropriations Acts: Provided further, That not more than $5,984,000 shall be derived from collections during fiscal year 2002 under sections 111(d)(2), 119(b)(2), 802(h), and 1005 of such title: Provided further, That the total amount available for obligation shall be reduced by the amount by which collections are less than $27,864,000: Provided further, That not more than $100,000 of the amount appropriated is available for the maintenance of an ''International Copyright Institute'' in the Copyright Office of the Library of Congress for the purpose of training nationals of developing countries in intellectual property laws and policies: Provided further, That not more than $4,250 may be expended, on the certification of the Librarian of Congress, in connection with official representation and reception expenses for activities of the International Copyright Institute and for copyright delegations, visitors, and seminars.

BOOKS FOR THE BLIND AND PHYSICALLY HANDICAPPED

SALARIES AND EXPENSES

For salaries and expenses to carry out the Act of March 3, 1931 (chapter 400; 46 Stat. 1487; 2 U.S.C. 135a), $49,788,000, of which $14,437,000 shall remain available until expended.

FURNITURE AND FURNISHINGS

For necessary expenses for the purchase, installation, maintenance, and repair of furniture, furnishings, office and library equipment, $7,932,000.

ADMINISTRATIVE PROVISIONS

SEC. 201. Appropriations in this Act available to the Library of Congress shall be available, in an amount of not more than $300,000, of which $75,000 is for the Congressional Research Service, when specifically authorized by the Librarian of Congress, for attendance at meetings concerned with the function or activity for which the appropriation is made.

SEC. 202. (a) No part of the funds appropriated in this Act shall be used by the Library of Congress to administer any flexible or compressed work schedule which—

(1) applies to any manager or supervisor in a position the grade or level of which is equal to or higher than GS–15; and

(2) grants such manager or supervisor the right to not be at work for all or a portion of a workday because of time worked by the manager or supervisor on another workday.

(b) For purposes of this section, the term ''manager or supervisor'' means any management official or supervisor, as such terms are defined in section 7103(a)(10) and (11) of title 5, United States Code.

SEC. 203. Appropriated funds received by the Library of Congress from other Federal agencies to cover general and administrative overhead costs generated by performing reimbursable work for other agencies under the authority of sections 1535 and 1536 of title 31, United States Code, shall not be used to employ more than 65 employees and may be expended or obligated—

(1) in the case of a reimbursement, only to such extent or in such amounts as are provided in appropriations Acts; or

(2) in the case of an advance payment, only—

(A) to pay for such general or administrative overhead costs as are attributable to the work performed for such agency; or

(B) to such extent or in such amounts as are provided in appropriations Acts, with respect to any purpose not allowable under subparagraph (A).

SEC. 204. Of the amounts appropriated to the Library of Congress in this Act, not more than $5,000 may be expended, on the certification of the Librarian of Congress, in connection with official representation and reception expenses for the incentive awards program.

SEC. 205. Of the amount appropriated to the Library of Congress in this Act, not more than $12,000 may be expended, on the certification of the Librarian of Congress, in connection with official representation and reception expenses for the Overseas Field Offices.

SEC. 206. (a) For fiscal year 2002, the obligational authority of the Library of Congress for the activities described in subsection (b) may not exceed $114,473,000.

(b) The activities referred to in subsection (a) are reimbursable and revolving fund activities that are funded from sources other than appropriations to the Library in appropriations Acts for the legislative branch.

(c) For fiscal year 2002, the Librarian of Congress may temporarily transfer funds appropriated in this Act under the heading ''LIBRARY OF CONGRESS—SALARIES AND EXPENSES'' to the revolving fund for the FEDLINK Program and the Federal Research Program established under section 103 of the Library of Congress Fiscal Operations Improvement Act of 2000 (Public Law 106–481; 2 U.S.C. 182c): Provided, That the total amount of such transfers may not exceed $1,900,000: Provided further, That the appropriate revolving fund account shall reimburse the Library for any amounts transferred to it before the period of availability of the Library appropriation expires.

SEC. 207. Section 101 of the Library of Congress Fiscal Operations Improvement Act of 2000 (Public Law 106–481; 2 U.S.C. 182a) is amended—

*(1) in the heading, by striking ''**AUDIO AND VIDEO**''; and*

(2) in subsection (a), by striking ''audio and video''.

SEC. 208. (a) Section 102(a) of the Library of Congress Fiscal Operations Improvement Act of 2000 (2 U.S.C. 182b(a)) is amended by adding at the end the following new paragraph:

''(4) Special events and programs.''.

(b) The amendment made by subsection (a) shall take effect upon the date on which the Committees on Appropriations of the House of Representatives and Senate approve a report submitted to the Committees by the Librarian of Congress which describes the guidelines and policies applicable to the hosting of special events and programs by the Librarian which are

covered under section 102(a)(4) of the Library of Congress Fiscal Operations Improvement Act of 2000 (as added by subsection (a)).

SEC. 209. Section 7 of the Abraham Lincoln Bicentennial Commission Act, Public Law 106–173, is amended by adding the following new subsections:

''(f) GIFTS.—The Commission may, for the purpose of carrying out this Act, accept and use gifts of money, property, and services, and, notwithstanding section 1342 of title 31, United States Code, may accept and use voluntary services as the Commission deems necessary.''

''(g) DETAIL OF FEDERAL EMPLOYEES.—On the request of the Commission, the head of a Federal agency or other Federal appointing authority may detail, on a reimbursable or nonreimbursable basis, any of its employees to the Commission to assist the Commission in carrying out the duties of the Commission under this Act. Any such detail of an employee shall be without interruption or loss of civil service status or privilege.''.

ARCHITECT OF THE CAPITOL

CAPITOL VISITOR CENTER

For an additional amount for the unassigned space in the Capitol Visitor Center project, $70,000,000, to remain available until expended: Provided, That section 3709 of the Revised Statutes of the United States (41 U.S.C. 5) shall not apply to the funds made available under this heading: Provided further, That the Architect of the Capitol may not obligate any of the funds which are made available for the Capitol Visitor Center under this Act or any other Act without an obligation plan approved by the chair and ranking minority member of the Committee on Appropriations of the House of Representatives for House space and the Committee on Appropriations of the Senate for Senate space.

CONGRESSIONAL CEMETERY

For the perpetual care and maintenance of the historic Congressional Cemetery, $1,250,000, to remain available until expended: Provided, That $1,000,000 of such amount shall be paid to the National Trust for Historic Preservation (hereafter in this paragraph referred to as the ''National Trust'') for deposit into the permanently restricted account referred to in section 209(b) of the Legislative Branch Appropriations Act, 1999 (Public Law 105–275; 112 Stat. 2449) and shall be used by the National Trust in accordance with the terms and conditions applicable under such section to amounts deposited into such account: Provided further, That $250,000 of such amount shall be for the preparation of a study to develop a program for the ongoing care and maintenance of the Cemetery.

LIBRARY BUILDINGS AND GROUNDS

STRUCTURAL AND MECHANICAL CARE

For all necessary expenses for the mechanical and structural maintenance, care and operation of the Library buildings and grounds, $21,753,000, of which $3,748,000 shall remain available until September 30, 2006 and $5,000,000 shall remain available until expended.

GOVERNMENT PRINTING OFFICE

OFFICE OF SUPERINTENDENT OF DOCUMENTS

SALARIES AND EXPENSES

(INCLUDING TRANSFER OF FUNDS)

For expenses of the Office of Superintendent of Documents necessary to provide for the cataloging and indexing of Government publications and their distribution to the public, Members of Congress, other Government agencies, and designated depository and international exchange libraries as authorized by law, $29,639,000: Provided, That travel expenses, including travel expenses of the Depository Library Council to the Public Printer, shall not exceed $175,000: Provided further, That amounts of not more than $2,000,000 from current year appropriations are authorized for producing and disseminating Congressional serial sets and other related publications for 2000 and 2001 to depository and other designated libraries: Provided further, That any unobligated or unexpended balances in this account or accounts for similar purposes for preceding fiscal years may be transferred to the Government Printing Office revolving fund for carrying out the purposes of this heading, subject to the approval of the Committees on Appropriations of the House of Representatives and Senate.

GOVERNMENT PRINTING OFFICE REVOLVING FUND

The Government Printing Office is hereby authorized to make such expenditures, within the limits of funds available and in accord with the law, and to make such contracts and commitments without regard to fiscal year limitations as provided by section 9104 of title 31, United States Code, as may be necessary in carrying out the programs and purposes set forth in the budget for the current fiscal year for the Government Printing Office revolving fund: Provided, That not more than $2,500 may be expended on the certification of the Public Printer in connection with official representation and reception expenses: Provided further, That the revolving fund shall be available for the hire or purchase of not more than 12 passenger motor vehicles: Provided further, That expenditures in connection with travel expenses of the advisory councils to the Public Printer shall be deemed necessary to carry out the provisions of title 44, United States Code: Provided further, That the revolving fund shall be available for temporary or intermittent services under section 3109(b) of title 5, United States Code, but at rates for individuals not more than the daily equivalent of the annual rate of basic pay for level V of the Executive Schedule under section 5316 of such title: Provided further, That the revolving fund and the funds provided under the headings ''OFFICE OF SUPERINTENDENT OF DOCUMENTS'' and ''SALARIES AND EXPENSES'' together may not be available for the full-time equivalent employment of more than 3,260 workyears (or such other number of workyears as the Public Printer may request, subject to the approval of the Committees on Appropriations of the Senate and the House of Representatives): Provided further, That activities financed through the revolving fund may provide information in any format: Provided further, That the revolving fund shall not be used to administer any flexible or compressed work schedule which applies to any manager or supervisor in a position the grade or level of which is equal to or higher than GS–15: Provided further, That expenses for attendance at meetings shall not exceed $75,000.

ADMINISTRATIVE PROVISION

EXTENSION OF EARLY RETIREMENT AND VOLUNTARY SEPARATION INCENTIVE PAYMENTS FOR GPO

SEC. 210. (a) Section 309 of the Legislative Branch Appropriations Act, 1999 (44 U.S.C. 305 note), is amended—

(1) in subsection (b)(1)(A), by striking ''October 1, 2001'' and inserting ''October 1, 2004''; and

(2) in subsection (c)(2), by striking ''September 30, 2001'' and inserting ''September 30, 2004''.

(b) The amendments made by this section shall take effect as if included in the enactment of the Legislative Branch Appropriations Act, 1999.

GENERAL ACCOUNTING OFFICE

SALARIES AND EXPENSES

For necessary expenses of the General Accounting Office, including not more than $12,500 to be expended on the certification of the Comptroller General of the United States in connection with official representation and reception expenses; temporary or intermittent services under section 3109(b) of title 5, United States Code, but at rates for individuals not more than the daily equivalent of the annual rate of basic pay for level IV of the Executive Schedule under section 5315 of such title; hire of one passenger motor vehicle; advance payments in foreign countries in accordance with section 3324 of title 31, United States Code; benefits comparable to those payable under sections 901(5), 901(6), and 901(8) of the Foreign Service Act of 1980 (22 U.S.C. 4081(5), 4081(6), and 4081(8)); and under regulations prescribed by the Comptroller General of the United States, rental of living quarters in foreign countries, $421,844,000: Provided, That not more than $1,751,000 of payments received under section 782 of title 31, United States Code, shall be available for use in fiscal year 2002: Provided further, That not more than $750,000 of reimbursements received under section 9105 of title 31, United States Code, shall be available for use in fiscal year 2002: Provided further, That this appropriation and appropriations for administrative expenses of any other department or agency which is a member of the National Intergovernmental Audit Forum or a Regional Intergovernmental Audit Forum shall be available to finance an appropriate share of either Forum's costs as determined by the respective Forum, including necessary travel expenses of non-Federal participants: Provided further, That payments hereunder to the Forum may be credited as reimbursements to any appropriation from which costs involved are initially financed: Provided further, That this appropriation and appropriations for administrative expenses of any other department or agency which is a member of the American Consortium on International Public Administration (ACIPA) shall be available to finance an appropriate share of ACIPA costs as determined by the ACIPA, including any expenses attributable to membership of ACIPA in the International Institute of Administrative Sciences.

PAYMENT TO THE RUSSIAN LEADERSHIP DEVELOPMENT CENTER TRUST FUND

For a payment to the Russian Leadership Development Center Trust Fund for financing activities of the Center for Russian Leadership Development, $8,000,000.

TITLE III—GENERAL PROVISIONS

SEC. 301. No part of the funds appropriated in this Act shall be used for the maintenance or care of private vehicles, except for emergency assistance and cleaning as may be provided under regulations relating to parking facilities for the House of Representatives issued by the Committee on House Administration and for the Senate issued by the Committee on Rules and Administration.

SEC. 302. No part of the funds appropriated in this Act shall remain available for obligation beyond fiscal year 2002 unless expressly so provided in this Act.

SEC. 303. Whenever in this Act any office or position not specifically established by the Legislative Pay Act of 1929 is appropriated for or the rate of compensation or designation of any office or position appropriated for is different from that specifically established by such Act, the rate of compensation and the designation in this Act shall be the permanent law with respect thereto: Provided, That the provisions in this Act for the various items of official expenses of Members, officers, and committees of the Senate and House of Representatives, and clerk hire for Senators and Members of the House of Representatives shall be the permanent law with respect thereto.

SEC. 304. The expenditure of any appropriation under this Act for any consulting service through procurement contract, pursuant to section 3109 of title 5, United States Code, shall be limited to those contracts where such expenditures are a matter of public record and available for public inspection, except where otherwise provided under existing law, or under existing Executive order issued pursuant to existing law.

SEC. 305. (a) It is the sense of the Congress that, to the greatest extent practicable, all equipment and products purchased with funds made available in this Act should be American-made.

(b) In providing financial assistance to, or entering into any contract with, any entity using funds made available in this Act, the head of each Federal agency, to the greatest extent practicable, shall provide to such entity a notice describing the statement made in subsection (a) by the Congress.

(c) If it has been finally determined by a court or Federal agency that any person intentionally affixed a label bearing a ''Made in America'' inscription, or any inscription with the same meaning, to any product sold in or shipped to the United States that is not made in the United States, such person shall be ineligible to receive any contract or subcontract made with funds provided pursuant to this Act, pursuant to the debarment, suspension, and ineligibility procedures described in section 9.400 through 9.409 of title 48, Code of Federal Regulations.

SEC. 306. Such sums as may be necessary are appropriated to the account described in subsection (a) of section 415 of Public Law 104–1 to pay awards and settlements as authorized under such subsection.

SEC. 307. Amounts available for administrative expenses of any legislative branch entity which participates in the Legislative Branch Financial Managers Council (LBFMC) established by charter on March 26, 1996, shall be available to finance an appropriate share of LBFMC costs as determined by the LBFMC, except that the total LBFMC costs to be shared among all participating legislative branch entities (in such allocations among the entities as the entities may determine) may not exceed $252,000.

SEC. 308. Section 316 of Public Law 101–302 is amended in the first sentence of subsection (a) by striking ''2001'' and inserting ''2002''.

SEC. 309. Section 5596(a) of title 5, U.S.C., is amended by deleting ''and'' at the end of paragraph (4); by deleting the period at the end of paragraph (5) and inserting a semicolon, and by adding the following new paragraphs, which shall be effective for all personnel actions taken on or after the date of enactment of this Act:

''(6) the Architect of the Capitol, including employees of the United States Senate Restaurants; and

''(7) the United States Botanic Garden.''.

SEC. 310. Section 4(b) of the House Employees Position Classification Act (2 U.S.C. 293(b)) is amended by adding at the end the following: ''Notwithstanding any other provision of this Act, for purposes of applying the adjustment made by the committee under this subsection for 2002 and each succeeding year, positions under the Chief Administrative Officer shall include positions of the United States Capitol telephone exchange under the Chief Administrative Officer.''.

SEC. 311. The Architect of the Capitol, in consultation with the District of Columbia, is authorized to maintain and improve the landscape features, excluding streets and sidewalks, in the irregular shaped grassy areas bounded by Washington Avenue, SW on the northeast, Second Street SW on the west, Square 582 on the south, and the beginning of the I–395 tunnel on the southeast.

SEC. 312. No funds appropriated or otherwise made available under this Act shall be made available to any person or entity that has been convicted of violating the Buy American Act (41 U.S.C. 10a–10c).

And the Senate agree to the same.

Amendment numbered 2:

That the House recede from its disagreement to the amendment of the Senate numbered 2, and agree to the same with an amendment, as follows:

Delete the matter stricken, delete the matter inserted, and strike all beginning on page 2, line 6, down through and including page 9, line 21, of the House engrossed bill, H.R. 2647.

And the Senate agree to the same.

Amendment numbered 3:

That the House recede from its disagreement to the amendment of the Senate numbered 3, and agree to the same with an amendment, as follows:

Delete the matter stricken, delete the matter inserted, and strike all beginning on page 17, line 19, down through and including page 17, line 23, of the House engrossed bill, H.R. 2647.

And the Senate agree to the same.

Amendment numbered 4:

That the House recede from its disagreement to the amendment of the Senate numbered 4, and agree to the same with an amendment, as follows:

Delete the section number inserted, and strike line 5 through and including line 17 of page 46 of the House engrossed bill, H.R. 2647.

And the Senate agree to the same.

CHARLES H. TAYLOR,
ZACH WAMP,
JERRY LEWIS,
RAY LAHOOD,
DON SHERWOOD,
C.W. BILL YOUNG,
JAMES P. MORAN,
STENY H. HOYER,
MARCY KAPTUR,
DAVID R. OBEY,
Managers on the Part of the House.

RICHARD J. DURBIN,
TIM JOHNSON,
JACK REED,
ROBERT C. BYRD,
ROBERT F. BENNETT,
TED STEVENS,
THAD COCHRAN,
Managers on the Part of the Senate.

JOINT EXPLANATORY STATEMENT OF THE COMMITTEE ON CONFERENCE

The managers on the part of the House and the Senate at the conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 2647) making appropriations for the Legislative Branch for the fiscal year ending September 30, 2002, and for other purposes, submit the following joint statement to the House and Senate in explanation of the effect of the action agreed upon by the managers and recommended in the accompanying conference report.

The Senate amended the House bill with five numbered amendments. The conference agreement addresses all the differences contained in the five amendments in the disposition of the first numbered amendment. The first numbered amendment therefore includes a complete version of the Legislative Branch bill. An explanation of the resolution of the differences of the other four numbered amendments is included in the first numbered amendment. The disposition of the other four numbered amendments therefore is purely technical in nature to enable the complete bill text to be included in the first amendment.

LEGISLATIVE BRANCH WIDE MATTERS

The conferees note that agencies of the Legislative Branch have taken an undisciplined position regarding the execution of their respective annual budgets as it relates to reprogramming and transfer of funds. The conferees have included the following reprogramming guidelines which shall be complied with by all entities in this conference report, exclusive of the House and Senate, funded by the Legislative Branch Appropriations Act, 2002 and thereafter:

1. Except under extraordinary and emergency situations, the Committees on Appropriations will not consider requests for a reprogramming or transfer of funds, or use of unobligated balances, which are submitted after August 1;

2. Clearly stated and detailed documentation presenting justification for the reprogramming, transfer, or use of unobligated balances shall accompany each request;

3. All agency reprogramming requests shall be submitted if the amount to be shifted to or from any object class, approved budget or program involved is in excess of $250,000 or 10 percent, whichever is less, of the object class, approved budget, or program;

4. For any action where the cumulative effect of below threshold reprogramming actions, or past reprogramming and/or transfer actions added to the request, would exceed the dollar threshold mentioned above, a reprogramming shall be submitted;

5. For any action which would result in a major change to the program or item which is different than that presented to and approved by the Committee on Appropriations of the House and Senate, a reprogramming shall be submitted;

6. For any action where funds earmarked by either of the Committees for a specific activity are proposed to be used for a different activity, a reprogramming shall be submitted;

7. For any action where funds earmarked by either of the Committees for a specific activity are in excess of the project activity requirement, and are proposed to be used for a different activity, a reprogramming shall be submitted;

8. Additionally, each request shall include a declaration that, as of the date of the request, none of the funds included in the request have been obligated, and none will be obligated, until the Committee on Appropriations of the House and Senate have approved the request.

The conference agreement provides funding to various agencies of the Legislative Branch to implement a student loan repayment program. Detailed implementation requirements will vary among entities, however the conferees believe it is important that an overall set of controls and criteria be developed to insure consistent application of purposes of the program across the legislative branch. The conferees direct the Legislative Branch Financial Managers Council (LBFMC) to develop, in consultation with all Legislative Branch entities the controls and criteria that will govern program implementation. The LBFMC is directed to perform a comparative analysis between entity implementing regulations and governing controls and criteria and report the results of that analysis to the House and Senate Committee on Appropriations on the Legislative Branch by March 1, 2002.

Amendment No. 1: Deletes the matter inserted and inserts complete bill text excluding the short title.

Many items in both House and Senate Legislative Branch Appropriations bills are identical and are included in the conference agreement without change. The conferees have endorsed statements of policy contained in the House and Senate reports accompanying the appropriations bills, unless amended or restated herein. With respect to those items in the conference agreement that differ between House and Senate bills, the conferees have agreed to the following with the appropriate section numbers, punctuation, and other technical corrections:

TITLE I—CONGRESSIONAL OPERATIONS

SENATE

Appropriates $606,885,000 for Senate operations, and includes, at the request of the managers on the part of the Senate, amendments that add $150,000 to the Caucus on International Narcotics Control, that amend Section 102, and that add other administrative provisions.

Regarding Section 107, the Senate Gift Shop has sold a number of items with the specific designation that a portion of the profits would be used toward construction of the Capitol Visitor Center. This section provides authority to transfer those profits to

the Capitol Preservation Fund, for use by the Capitol Preservation Commission, which has oversight responsibility for construction of the Capitol Visitor Center. Profits identified for the Capitol Visitor Center that were earned prior to FY2001 may be transferred to the Capitol Preservation Fund provided they were so identified and retained in the Senate Gift Shop Revolving Fund from the date earned.

Section 108 modifies existing legislation to clarify that the Old Supreme Court Chamber is under the supervision of the Senate Commission on Art; deletes the $15,000 limitation on authorized funding for the Commission on Art; clarifies that funding may be in such amount as necessary; authorizes the Secretary to sign vouchers for the Commission on Art, in lieu of the Chairman or Vice Chairman; and restates the fact that all vouchers are ultimately approved by the Rules Committee before payment.

Section 109 authorizes the Secretary of the Senate and the Sergeant at Arms to procure temporary help as needed for up to a 30 day period for any position. Such temporary help are not employees of the Senate. Nothing in this legislation authorizes the handling of sensitive or classified information, and applicable restrictions and procedures must be followed.

Section 110 amends section 31(d) of 2 U.S.C. 59e(d).

Section 111 increases the amount available to the Committee on Rules and Administration for expenses under section 14(c) of Senate Resolution 54 by $150,000, for salaries and expenses incurred by the Committee on Rules and Administration associated with the administration of the Joint Committee on Printing.

Inasmuch as these items relate solely to the Senate, and in accord with long practice under which each body determines its own housekeeping requirements and the other concurs without intervention, the managers of the part of the House, at the request of the managers on the part of the Senate, have receded to the amendments of the Senate.

HOUSE OF REPRESENTATIVES

Appropriates $878,195,100 for House operations, and includes, at the request of the managers on the part of the House, an amendment adding $145,100 for the traditional death gratuity upon the death of a Member of the House of Representatives and reflects an unspecified reduction of $4,000,000.

The conference agreement provides funding and authority to the Senate and various agencies of the Legislative Branch to implement a student loan repayment program. Authority and funding for the House of Representatives has not been included because of the absence of implementation guidelines and criteria. The conferees believe that the House of Representatives should examine such a program as soon as practicable and therefore strongly encourage the House Administration Committee to develop and recommend guidelines and criteria to be included in the FY 2003 budget request. The authorities contained in this bill for the Senate, and the recommendations of the Legislative Branch Financial Managers Council (LBFMC) should be taken into account in the development of this program.

In addition, the managers on the part of the House have amended an administrative provision in the House bill and added provisions regarding an allowance, authorizing additional positions for House officers, authorization for the House Employment Counsel to represent the House in judicial proceedings. The officers of the House have acquired additional expertise in response management and continuity of operations as a result of the recent emergencies created by terrorist attacks and other activities that were not contemplated within current resource levels. In order to maintain an institutionalized capability and to help assure the security needs of the House are being met on a long term basis, the managers on the part of the House realize that current FTE limits have been superceded and direct the officers to take whatever steps are necessary to continue these functions in the most economical and operationally sound manner possible. Current FTE limits, therefore, shall not apply with respect to these activities. The managers on the part of the House also direct that, of the funds in the bill made available to the House for salaries and expenses, $143,000 may be transferred to the Office of Legislative Counsel, at the request of the Legislative Counsel, to provide resources necessary for continuity of operations. Inasmuch as these items relate solely to the House, and in accord with long practice under which each body determines its own housekeeping requirements and the other concurs without intervention, the managers on the part of the Senate, at the request of the managers on the part of the House, have receded to the amendments of the House.

While applauding the Herculean efforts of the Chief Administrative Officer, the Clerk, and others in the House of Representatives in providing alternative workspace and equipment for the House during the period in which House office buildings have been closed, the managers on the part of the House remain greatly concerned about the ability of Members and staff to access their computer systems from offsite locations during emergencies. The managers on the part of the House understand and appreciate that providing permanent remote access to House computer systems for all House offices would require the resolution of many complicated issues relating to security, technical capabilities, and the allocation of resources. Nevertheless, the managers on the part of the House urge the Chief Administrative Officer, the Clerk, and other relevant House officers to quickly develop a plan under which each office of the House of Representatives shall have available some permanent, reliable means to access its computer systems from a remote location. The managers on the part of the House request that the Chief Administrative Officer prepare and submit a report to the Committees on House Administration and Appropriations of the House of Representatives not later than 90 days after the enactment of the bill which describes the progress made by the Chief Administrative Officer in preparing and implementing this plan.

The managers on the part of the House direct the Chief Administrative Officer to calculate the amount of wages food service hourly employees that work in the House lost due to the necessary recent closing of House office buildings and to reimburse the applicable vendors to pay those wages from the proceeds of the restaurant services revolving fund.

JOINT ITEMS

OFFICE OF THE ATTENDING PHYSICIAN

Appropriates $1,865,000 for the Office of the Attending Physician as proposed by the House instead of $1,765,000 as proposed by the Senate. This amount includes $1,253,904 for reimbursement to the Department of Navy for expenses incurred as proposed by the House instead of $1,159,904 as proposed by the Senate.

CAPITOL POLICE BOARD

CAPITOL POLICE

SALARIES

Appropriates $113,044,000 for salaries of officers, members, and employees of the Capitol Police instead of $112,592,000 as proposed by the House and $112,922,000 as proposed by the Senate, of which $55,239,000 is provided to the Sergeant at Arms of the House of Representatives and $57,805,000 is provided to the Sergeant at Arms and Doorkeeper of the Senate. The conferees direct the Chief of the Capitol Police to make retroactive to October 1, 2001 any comparability adjustments in pay of sworn officers.

GENERAL EXPENSES

Appropriations $13,146,000 for general expenses of the Capitol Police instead of $11,081,000 as proposed by the House and $12,394,000 as proposed by the Senate. The increase above the House allowance provides an additional $65,000 for card readers and $2,000,000 for the accelerated upgrade and installation of a new networked in-place monitoring system. The conferees have provided $1,525,467 to purchase 40 vehicles for canine officers to transport police dogs. This action will provide the United States Capitol Police with operational-parity similar to other federal law enforcement agencies. This amount allows for the purchase of the police service vehicles and the related purchase and installation of police-vehicle equipment and canine cages ($1,357,600). The first year's annual operating costs for these vehicles including fuel and maintenance is estimated at $101,867. In addition, the salaries appropriation provides one FTE for additional maintenance staff.

ADMINISTRATIVE PROVISIONS

The conferees have included an administrative provision allowing for the transfer of funds upon the approval of the committees on Appropriations of the House and Senate. In addition, the conferees have included administrative provisions that authorize the Capitol Police to purchase goods and services in emergency situations; that authorize the Capitol Police to accept donations of meals and refreshments in emergency situations; sets a cap on the level of pay for the Chief Administrative Office of the Capitol Police; and another provision authorizing the payment of certain expenditures made in connection with the terrorist acts of September 11, 2001, and subsequent threats. The conferees direct that within 30 days of utilizing the authorization provided to purchase or accept donations of goods and services a report of such transactions and the reasons therefore will be submitted to the Committee on Appropriations of the House and Senate.

OFFICE OF COMPLIANCE

For the Office of Compliance the conferees have agreed that of the amount appropriated, $254,000 shall remain available until September 30, 2003, as proposed by the House.

CONGRESSIONAL BUDGET OFFICE

Appropriates $30,780,000 for salaries and expenses of the Congressional Budget Office as proposed by the House instead of $30,680,000 as proposed by the Senate. The conferees have included three administrative provisions that provide for an employee training program, authorization to apply the proceeds from the sale of older equipment to be applied to the purchase of equipment used for the same purpose, and the establishment of a student loan repayment program as a recruitment tool.

ARCHITECT OF THE CAPITOL

CAPITOL BUILDINGS AND GROUNDS

GENERAL ADMINISTRATION

SALARIES AND EXPENSES

Appropriates $51,371,000 for salaries and expenses, Capitol buildings and grounds, general administration, Architect of the Capitol, instead of $46,705,000 as proposed by the

House and $54,000,000 for the Architect of the Capitol, Capitol Buildings and Grounds, Capitol buildings, salaries and expenses as proposed by the Senate. Of this amount $20,000 is provided for attendance at meetings as proposed by the Senate instead of $30,000 as proposed by the House. Of the amount appropriated $3,026,000 shall remain available until September 30, 2006 instead of $3,414,000 to remain available until expended as proposed by the Senate. In addition, the conferees have included provisions pertaining to a Chief Financial Officer and the acquisition of property, as proposed by the Senate.

With respect to the object class and project differences between the House and Senate bills, the conferees have agreed to the following:

Operating Budget	$47,007,000
Capitol Projects:	
1. Implementation of AOCNET	500,000
2. Financial Management System	2,076,000
3. Computer-Aided Facility Management	700,000
4. Implementation of Safety Programs	450,000
5. Security Project Support	125,000
6. Replace Building Automation System, Capitol Complex	240,000
7. Micrographic & Recording Storage Equipment	73,000
8. Development of Master Commissioning Specifications	100,000
9. Develop AOC Engineering Guide Specifications	100,000

MINOR CONSTRUCTION

Instead of providing for a separate account, as proposed by the House, the conferees have included $5,000,000 as a line item within House office buildings account for minor construction.

CAPITOL BUILDINGS

Appropriates $15,194,000, of which $3,080,000 shall remain available until September 30, 2006, for maintenance, care and operation of the Capitol, by the Architect of the Capitol, instead of $17,674,000 as proposed by the House. The Senate bill included $54,000,000 for this activity in the appropriation immediately preceding. With respect to object class and project differences between the House and Senate bills, the conferees have agreed to the following:

Operating Budget	$9,696,000
Capitol Projects:	
1. Provide Infrastructure for Security Installations	200,000
2. Conservation of Wall Paintings	300,000
3. Replacement of Minton Tile	200,000
4. Roofing Repair, Around House and Senate Chambers	160,000
5. Replace Exit Doors for Emergency Egress and Security, Capitol Building	475,000
6. Design, Install Emergency Signs and Lighting	200,000
7. Egress Door Improvements	100,000
8. Replace Halon Fire Suppression Systems	50,000
9. Design, Upgrade Kitchen Exhausts	150,000
10. ADA Requirements	75,000
11. Elevator/Escalator Modernization Program	750,000
12. Rehabilitate Dome	1,605,000
13. Design, Exterior Stone Preservation	725,000
14. Chandelier Restoration and Crystal/Globe Replace	230,000
15. Door Refinishing/Restoration	211,000
16. Cold Storage for Historic Negatives	67,000

CAPITOL GROUNDS

Appropriates $6,009,000 to the Architect of the Capitol for the care and improvements of grounds surrounding the Capitol, House and Senate office buildings, and the Capitol Power plant instead of $6,904,000 as proposed by the House and $6,000,000 as proposed by the Senate. With respect to object class and project differences between the House and Senate bills, the conferees have agreed to the following:

Operating Budget	$5,653,000
Capitol Projects:	
1. Replace Trucks	80,000
2. Provide Lights at Lot 9	276,000

SENATE OFFICE BUILDINGS

Appropriates $42,126,000 for the maintenance, care, and operation of the Senate office buildings to the Architect of the Capitol instead of $47,500,000 as proposed by the Senate, of which $3,760,000 shall remain available until September 30, 2006. The reduction from the Senate level is attributable to the transfer of funds, related to the central support staff, to the new General Administration account. Inasmuch as this item relates solely to the Senate, and in accord with long practice under which each body determines its own housekeeping requirements and the other concurs without intervention, the managers on the part of the House, at the request of the managers on the part of the Senate, have receded to the Senate.

HOUSE OFFICE BUILDINGS

Appropriates $54,006,000 for the maintenance, care, and operation of the House office buildings to the Architect of the Capitol instead of $49,006,000 as proposed by the House, of which $23,344,000 shall remain available until September 30, 2006. Inasmuch as this item relates solely to the House, and in accord with long practice under which each body determines its own housekeeping requirements and the other concurs without intervention, the managers on the part of the Senate, at the request of the managers on the part of the House, have receded to the House. The additional funds provided flexibility for unforeseen needs including minor construction, repair, and alteration projects, land acquisition, and related activities, in connection with construction and maintenance activities of House office buildings.

Consistent with the energy conservation plan (Section 310 of the Legislative Branch Appropriations Act, 1999), the Architect of the Capitol is directed to provide compact fluorescent light bulbs in table, floor, and desk lamps in House office buildings for offices of the House which request them, including any retrofitting of the lamps which may be necessary to install such bulbs.

CAPITOL POWER PLANT

In addition to the $4,400,000 made available from receipts credited as reimbursements to this appropriation, appropriates $52,583,000 to the Architect of the Capitol for maintenance, care and operation of the Capitol power plant, instead of $45,324,000 as proposed by the House and $47,403,000 as proposed by the Senate. Of this amount $8,013,000 shall remain available until September 30, 2006, instead of $100,000, to remain available until expended, as proposed by the House and $3,300,000, to remain available until expended, as proposed by the Senate. With respect to object class and project differences between the House and Senate bills, the conferees have agreed to the following:

Operating Budget	$43,395,000
Capitol Projects:	
1. Implement Emergency Shoring and Repairs to Tunnels	100,000
2. Update CAD Drawings for Capitol power plant	75,000
3. Install Ventilation in coal bunkers	65,000
4. Replace deaerator heaters	335,000
5. Study, heat balance/efficiency improvements	100,000
6. Repoint and clean east and west plant chimneys	90,000
7. Replace controls west cooling tower	180,000
8. Install dual, low NO_X burners, boilers 5–7	200,000
9. Install Synchronous excitation package for chillers	130,000
10. Modernize Coal Handling System	7,913,000

ADMINISTRATIVE PROVISIONS

The conference agreement includes several administrative provisions related to the operations of the Architect of the Capitol. There is a provision that sets a cap on the level of pay of the Architect of the Capitol and Assistant Architect of the Capitol and authorizes the Architect to set levels of basic pay for twelve positions. The conferees direct that the Architect designate one of the twelve positions for security management functions. There is a provision requiring payment of liquidated damages in the event that completion of a project greater than $50,000 in value is delayed because of the contractor; a provision that sets the limitation for small purchase contracts at $100,000; a provision involving a financial management system; a provision that authorizes eligibility for life insurance, health insurance, retirement, and other benefits for temporary employees; a provision regarding a youth park; and a provision adjusting the limitation of donations to the National Garden.

The Architect of the Capitol is directed to develop design specifications and to sponsor a competition for the design of the youth park. The final design will be selected by the Capitol Preservation Commission. The Architect is authorized to use his existing funding for design specification development and the competition. Since construction cost is dependent on final design, no funding has been appropriated at this time.

The conferees direct the Architect of the Capitol to observe the reprogramming guidelines stated under the heading, ''Legislative Branch Wide Matters,'' earlier in this statement.

LIBRARY OF CONGRESS

CONGRESSIONAL RESEARCH SERVICE

SALARIES AND EXPENSES

Appropriates $81,454,000 for salaries and expenses, Congressional Research Service, Library of Congress, as proposed by the House instead of $81,139,000 as proposed by the Senate. This level of funding provides for 739 full time equivalents.

TITLE II—OTHER AGENCIES

BOTANIC GARDEN

SALARIES AND EXPENSES

Appropriates $5,646,000 for salaries and expenses, Botanic Garden, instead of $5,946,000

as proposed by the House and $5,829,000 as proposed by the Senate. The conferees have included language, as proposed by the House, setting a limitation on the use of funds for any activities of the National Garden and have not included the provision providing for reception and representation expenses. With respect to object class and project differences between the House and Senate bills, the conferees have agreed to the following:

Operating Budget	$4,107,000
Capitol Projects:	
1. Design, Administrative building renovation and addition	200,000
2. Roof Fall Protection, DC Village	131,000
3. Vehicle Replacement	68,000
4. Shade Curtain warranty	125,000
5. Conservatory Galleries design exhibits, banners and audio tours	615,000
6. Implementation/contractor support conservatory courtyards	400,000

LIBRARY OF CONGRESS

SALARIES AND EXPENSES

Provides $306,692,000 for salaries and expenses, Library of Congress, which will fund 2,792 F'TE's, instead of $304,692,000 as proposed by the House and $297,775,000 as proposed by the Senate. Of this amount $6,850,000 is made available from receipts collected by the Library of Congress and $15,824,474 is to remain available until expended for acquisition of books, periodicals, newspapers, and all other library materials as proposed by the House instead of $10,824,474 as proposed by the Senate.

With respect to differences between the House and Senate bills, the conferees have agreed to the following:

1. Mandatories	$12,381,417
2. Hands Across America	7,100,000
3. Purchase of Library Materials	15,824,474
4. Law Library Arrearage Reduction	850,000
5. Abraham Lincoln Bicentennial Commission	500,000
6. National Digital Library	18,080,735

The conference agreement includes funds for two programs, to remain available until expended. One provision, for $7,100,000, is for teaching educators how to incorporate the Library's primary source digital materials into school curricula and includes $1,500,000 for a pilot project in Illinois. The second provision provides $500,000, which includes $3,000 for official representation and reception expenses, for the Abraham Lincoln Bicentennial Commission.

COPYRIGHT OFFICE

SALARIES AND EXPENSES

Provides $40,896,000, including $27,864,000 made available from receipts, for salaries and expenses, Copyright Office, as proposed by the House instead of $40,701,000, including $27,864,000 from receipts, as proposed by the Senate. This level of funding provides for 530 full time equivalents.

BOOKS FOR THE BLIND AND PHYSICALLY HANDICAPPED

SALARIES AND EXPENSES

Appropriates $49,788,000 for salaries and expenses, books for the blind and physically handicapped as proposed by the House instead of $49,765,000 as proposed by the Senate. This level of funding provides for 128 full time equivalents.

FURNITURE AND FURNISHINGS

Appropriates $7,932,000 for furniture and furnishings as proposed by the House instead of $8,532,000 as proposed by the Senate.

The managers on the part of the House do not concur with the language in the Senate report regarding incorporating the Furniture and Furnishings account into the Library's other appropriation accounts.

ADMINISTRATIVE PROVISIONS

In addition to various technical corrections the conferees have agreed to set an overall limitation of $300,000 on funds available for attendance at meetings instead of $203,560 as proposed by the House and $407,560 as proposed by the Senate of which $75,000 is provided to the Congressional Research Service instead of $60,486 as proposed by the House and $86,486 as proposed by the Senate. The conferees have included administrative provisions that authorize a new Library of Congress revolving fund and establishes a gift fund and authorizes detailees for the Lincoln Bicentennial Commission.

ARCHITECT OF THE CAPITOL

CAPITOL VISITOR CENTER

The conference agreement provides $70,000,000 to the Architect of the Capitol for the Capitol Visitor Center for the completion of the expansion space. The Architect of the Capitol is directed not to obligate any funds for this project without an approved obligation plan. The plan should specify the purpose, amount, and timing of anticipated obligations.

CONGRESSIONAL CEMETERY

Appropriates $1,250,000 to the Architect of the Capitol for a grant for the care and maintenance of the Congressional Cemetery, instead of $2,500,000 as proposed by the Senate. Of this amount, $250,000 is available to the Architect to develop a plan, in consultation with the Association for the Historic Preservation of the Congressional Cemetery, for perpetual care and maintennce of the Cemetery. The plan shall be submitted to the National Trust for Historic Preservation for review. The remaining amount is available as a grant to an endowment fund for perpetual care and maintenance.

LIBRARY BUILDINGS AND GROUNDS

STRUCTURAL AND MECHANICAL CARE

Appropriates $21,753,000 for structural and mechanical care. Library buildings and grounds instead of $22,252,000 as proposed by the House and $18,753,000 as proposed by the Senate. Of this amount $5,000,000 shall remain available until expended instead of $8,918,000 as proposed by the House and $6,878,000 as proposed by the Senate, and $3,748,000 of the amount provided shall remain available until September 30, 2006.

With respect to the object class and project differences between the House and Senate bills, the conferees have agreed to the following:

Operating budget	$10,853,000
Capitol Projects:	
1. Replace partition supports JMMB	200,000
2. Replace VSD Motor Controls, TJB & JAB	132,000
3. Replace sidewalks, TJB and JAB	100,000
4. Restore decorative painting, TJB and JAB	100000
5. Book stack lighting controls, TJB and JAB	100,000
6. Audio Visual Conservation Center, Culpeper	5,000,000
7. LOC Room and partition modifications	500,000
8. Replace compact stack safety, JMMB	300,000
9. Design, smoke detectors compliance, LB&G	100,000
10 Roof fall protection, LB&G	1,778,000
11. Design egress improvements	550,000
12. Design upgrade kitchen exhausts systems	70,000
13. ADA requirements, LB&G	100,000
14. Design collections security	200,000
15. Design, replacement of rain leaders, JAB	50,000
16. Design, remover 4 escalators for office space JMMB	100,000
17. Preservations environmental monitoring	100,000
18. Design book storage #2, Ft. Meade	420,000
19. Repair life safety deficiencies	1,000,000

GOVERNMENT PRINTING OFFICE

OFFICE OF SUPERINTENDENT OF DOCUMENTS

SALARIES AND EXPENSES

(INCLUDING TRANSFER OF FUNDS)

Appropriates $29,639,000 for salaries and expenses, Office of Superintendent of Documents as proposed by the House instead of $28,728,000 as proposed by the Senate.

ADMINISTRATIVE PROVISION

The conferees have agreed to a provision in the House bill which extends existing authorization or early retirement and voluntary separation incentive payments. The Senate bill includes a similar provision.

GENEAL ACCOUNTING OFFICE

SALARIES AND EXPENSES

Appropriates $421,844,000 for salaries and expenses, General Accounting Office as proposed by the House instead of $417,843,000 as proposed by the Senate. Within the appropriating language, the conferees have set the limitation on the representation expenses at $12,500 as proposed by the House instead of $12,000 as proposed by the Senate and made technical corrections on two matters.

The agreement does not include two provisions inserted in the Senate amendment that relate to a pilot program in technology assessment. The conferees direct the Comptroller General to obligate up to $500,000, of the funds made available, for a pilot program in technology assessment as determined by the Senate and to submit to the Senate a report on the pilot program not later than June 15, 2002.

PAYMENT TO THE RUSSIAN LEADERSHIP DEVELOPMENT CENTER TRUST FUND

Appropriates $8,000,000 for a payment to the Russian Leadership Development Center Trust Fund instead of $10,000,000 as proposed by the Senate. The conferees note that the FY2001 Appropriations Act established this program in the Legislative Branch and authorized the use of non-appropriated monies to support this program.

TITLE III—GENERAL PROVISIONS

In Title III, General Provisions, section numbers have been changed to conform to the conference agreement and technical corrections have been made. The conferees have included section 309 (appropriately renumbered) of the House bill. The conferees recognize that the Capitol Telephone Exchange operates out of one location with employees working side-by-side. The conferees understand the importance of establishing equal pay for these workers, and appreciate the complications created by the fact that some are House employees and some are Senate employees, paid from funds appropriated to the respective bodies. The conferees direct the House Chief Administrative Officer and the Senate Sergeant at Arms to make a recommendation to the House and Senate Appropriations Committees, on House Administration, and the Senate Committee on Rules and Administration, on how to structure the

U.S. Capitol Telephone Exchange to provide for uniform pay, procedures and policies for all its employees while continuing to provide a high level of service to Members, staff and the American people. This report should be submitted by April 30, 2002.

The conferees have included a provision that authorizes the Architect of the Capitol to maintain and improve landscape features of property located near the House office buildings. The conferees have included the House provision regarding the Buy American Act and have excluded the House provision related to the installation of compact fluorescent light bulbs and have included direction, under the paragraph explaining House Office Buildings, for the Architect of the Capitol to address this matter.

Amendment No. 2: Deletes the matter stricken and deletes the matter inserted and deletes certain House matter not stricken by the Senate. The disposition of this amendment is purely technical so that the entire text of the conference agreement could be included in amendment numbered 1. The description of the resolution of the differences in this amendment can be found in the joint statement of the mangers under amendment numbered 1.

Amendment No. 3: Deletes the matter stricken and deletes the matter inserted and deletes certain House matter not stricken by the Senate. The disposition of this amendment is purely technical so that the entire text of the conference agreement could be included in amendment numbered 1. The description of the resolution of the differences in this amendment can be found in the joint statement of the managers under amendment numbered 1.

Amendment No. 4: Deletes the section number stricken and inserted and deletes certain House matter not stricken by the Senate.

Amendment No. 5: Deletes the matter stricken by the Senate.

CONFERENCE TOTAL—WITH COMPARISONS

The total new budget (obligational) authority for the fiscal year 2002 recommended by the Committee of Conference, with comparisons to the fiscal year 2001 amount, the 2002 budget estimates, and the House and Senate bills for 2002 follow:

[In thousands of dollars]

New budget (obligational) authority, fiscal year 2001	$2,729,527
Budget estimates of new (obligational) authority, fiscal year 2002	2,961,870
House bill, fiscal year 2002	2,239,000
Senate bill, fiscal year 2002	2,874,114
Conference agreement, fiscal year 2002	2,971,142
Conference agreement compared with:	
New budget (obligational) authority, fiscal year 2001	+241,615
Budget estimates of new (obligational) authority, fiscal year 2002	+9,272
House bill, fiscal year 2002	732,142
Senate bill, fiscal year 2002	+97,028

CHARLES H. TAYLOR,
ZACH WAMP,
JERRY LEWIS,
RAY LAHOOD,
DON SHERWOOD,
C.W. BILL YOUNG,
JAMES P. MORAN,
STENY H. HOYER,
MARCY KAPTUR,
DAVID R. OBEY,
Managers on the Part of the House.

RICHARD J. DURBIN,
TIM JOHNSON,
JACK REED,
ROBERT C. BYRD,
ROBERT F. BENNETT,
TED STEVENS,
THAD COCHRAN,
Managers on the Part of the Senate.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12 of rule I, the Chair declares the House in recess subject to the call of the Chair.

Accordingly (at 11 o'clock and 23 minutes p.m.), the House stood in recess subject to the call of the Chair.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 8 of rule XII, executive communications were taken from the Speaker's table and referred as follows:

4425. A letter from the Principal Deputy General Counsel, Department of Defense, transmitting a draft of proposed legislation to award the medal of honor to Ben L. Salomom and Jon E. Swanson; to the Committee on Armed Services.

4426. A letter from the Principal Deputy General Counsel, Department of Defense, transmitting a draft of proposed legislation relating to the annual survey of racial, ethnic, and gender issues; to the Committee on Armed Services.

4427. A letter from the Secretary, Department of Defense, transmitting a letter on the approved retirement of Lieutenant General Charles R. Heflebower, United States Air Force, and his advancement to the grade of lieutenant general on the retired list; to the Committee on Armed Services.

4428. A letter from the Director, Office of Management and Budget, transmitting a report on the Cost Estimate For Pay-As-You-Go Calculations; to the Committee on the Budget.

4429. A letter from the Office of Civilian Radioactive Waste Management, Department of Energy, transmitting the seventeenth Annual Report on the activities and expenditures of the Office of Civilian Radioactive Waste Management, pursuant to 42 U.S.C. 10224(c); to the Committee on Energy and Commerce.

4430. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Approval and Promulgation of Air Quality Implementation Plans; Pennsylvania; Reasonably Available Control Technology Requirements for Volatile Organic Compounds and Nitrogen Oxides in the Pittsburgh-Beaver Valley Area [PA041–4178; FRL–7083–3] received October 10, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

4431. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Approval and Promulgation of Implementation Plans Kentucky: Approval of Revisions to Kentucky State Implementation Plan [KY–75–1; KY–97–1–200109, FRL–7082–8] received October 10, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

4432. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Approval and Promulgation of Air Quality Implementation Plans; Kentucky; Approval of Revisions to State Implementation Plan; Revised Format for Materials Being Incorporated by Reference for Jefferson County, Kentucky [KY–103; KY–107; KY–110; KY–114; KY–115; KY–122–200203; FRL–7082–7] received October 10, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

4433. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Approval and Promulgation of Air Quality Implementation Plans; Kentucky: Approval of Revisions to State Implementation Plan, Source Specific Requirements, and Nonregulatory Provisions [KY–131, and KY–133–200201; FRL–7083–1a] received October 10, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

4434. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Approval and Promulgation of Implementation Plans; State of Missouri [MO 0135–1135a; FRL–7082–6] received October 10, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

4435. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Approval and Promulgation of Implementation Plans; Illinois Trading Program [IL 165–2; FRL–7056–6] received October 10, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

4436. A letter from the Associate Bureau Chief, Wireless Telecommunications Bureau, Federal Communications Commission, transmitting the Commission's final rule—Replacement of Part 90 by Part 88 to Revise the Private Land Mobile Radio Services and Modify the Policies Governing Them [PR Docket No. 92–235] and Examination of Exclusivity and Frequency Assignment Policies of the Private Land Mobile Services—received October 9, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

4437. A letter from the Director, Office Congressional Affairs, Nuclear Regulatory Commission, transmitting the Commission's final rule—Interim Storage for Greater Than Class C Waste [Docket No. PRM–72–2] (RIN: 3150–AG33) received October 9, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

4438. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting certification of a proposed license for the export of defense articles or defense services sold under a contract to Israel (Transmittal No. DTC 102–01), pursuant to 22 U.S.C. 2776(c); to the Committee on International Relations.

4439. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting certification of a proposed license for the export of defense articles or defense services sold under a contract to Israel (Transmittal No. DTC 112–01), pursuant to 22 U.S.C. 2776(c); to the Committee on International Relations.

4440. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting certification of a proposed license for the export of defense articles or defense services sold under a contract to the United Kingdom (Transmittal No. DTC 117–01), pursuant to 22 U.S.C. 2776(c); to the Committee on International Relations.

4441. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting certification of a proposed license for the export of defense articles or defense services sold under a contract to France (Transmittal No. DTC 099–01), pursuant to 22 U.S.C. 2776(c); to the Committee on International Relations.

4442. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting notification that effective September 23, 2001 the danger pay rate for the Montenegro Province was designated at the 20% level and the danger pay rate for Peshawar, Pakistan was designated at the 25% level, pursuant to 5 U.S.C. 5928; to the Committee on International Relations.

4443. A letter from the Auditor, District of Columbia, transmitting a copy of a report entitled, ''Fiscal Year 2000 Annual Report on Advisory Neighborhood Commissions,'' pursuant to D.C. Code section 47–117(d); to the Committee on Government Reform.

4444. A letter from the Director, Office of Procurement and Property Management, Department of Agriculture, transmitting the Department's final rule—Agriculture Acquisition Regulation; Part 442 Amendment; Designation and Mandatory Use of Contractor Performance System [AGAR Case 99–02] (RIN: 0599–AA08) received October 4, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Government Reform.

4445. A letter from the Director, Office of Procurement and Property Management, Department of Agriculture, transmitting the Department's final rule—Agriculture Acquisition Regulation; Part 419 Amendment; North American Industrial Classification System [AGAR Case 2000–01] (RIN: 0599–AA09) received October 4, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Government Reform.

4446. A letter from the Deputy Independent Counsel, Office of the Independent Counsel, transmitting a report under the Federal Managers' Financial Integrity Act for the period ending September 30, 2001, pursuant to 31 U.S.C. 3512(c)(3); to the Committee on Government Reform.

4447. A letter from the Director, Office of Management and Budget, transmitting a report on the Federal Activities Inventory Reform Act; to the Committee on Government Reform.

4448. A letter from the Chairman, Securities and Exchange Commission, transmitting a copy of the annual report in compliance with the Government in the Sunshine Act during the calendar year 2000, pursuant to 5 U.S.C. 552b(j); to the Committee on Government Reform.

4449. A letter from the Accounting Administration Supervisor, Daughters of the American Revolution, transmitting the report of the audit of the Society for the fiscal year ending February 28, 2001, pursuant to 36 U.S.C. 1101(20) and 1103; to the Committee on the Judiciary.

4450. A letter from the Director, Policy Directives and Instructions Branch, INS, Department of Justice, transmitting the Department's final rule—Delegation of the Adjudication of Certain Temporary Agricultural Worker (H–2A) Petitions, Appellate and Revocation Authority for those Petitions to the Secretary of Labor [INS 1946–98] (RIN: 1115–AF29) received October 4, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on the Judiciary.

4451. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting the Service's final rule—Action On Decision Therese Hahn v. Commissioner, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

4452. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting the Service's final rule—Tax Imposed on Certain Built-In Gains [Rev. Rul. 2001–50] received October 9, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. HANSEN: Committee on Resources. H.R. 2585. A bill to authorize the Secretary of the Interior to conduct a study of the feasibility of providing adequate upstream and downstream passage for fish at the Chiloquin Dam on the Sprague River, Oregon (Rept. 107–255). Referred to the Committee of the Whole House on the State of the Union.

Mr. HANSEN: Committee on Resources. H.R. 1776. A bill to authorize the Secretary of the Interior to study of the suitability and feasibility of establishing the Buffalo Bayou National Heritage Area in west Houston, Texas; with an amendment (Rept. 107–256). Referred to the Committee of the Whole House on the State of the Union.

Mr. HANSEN: Committee on Resources. H.R. 483. A bill regarding the use of the trust land and resources of the Confederated Tribes of the Warm Springs Reservation of Oregon; with an amendment (Rept. 107–257). Referred to the Committee of the Whole House on the State of the Union.

Mr. CALLAHAN: Committee of Conference. Conference report on H.R. 2311. A bill making appropriations for energy and water development for the fiscal year ending September 30, 2002, and for other purposes (Rept. 107–258). Ordered to be printed.

Mr. TAYLOR of North Carolina: Committee of Conference. Conference report on H.R. 2647. A bill making appropriations for the Legislative Branch for the fiscal year ending September 30, 2002, and for other purposes (Rept. 107–259). Ordered to be printed.

N O T I C E

Incomplete record of House proceedings.

Today's House proceedings will be continued in the next issue of the Record.